

Next scheduled Committee Meeting will be held in the Council Chambers, 201 Spring Street, Springdale, Arkansas.

- The date of the next Committee Meeting will be Monday, March 1, 2021.
- Committee agendas will be available on the Friday before this meeting.

SPRINGDALE CITY COUNCIL  
REGULAR MEETING  
COUNCIL CHAMBERS  
TUESDAY, February 23, 2021

5:55 p.m. Pre Meeting Activities  
  
Pledge of Allegiance  
Invocation – Jeff Watson

6:00 p.m. **OFFICIAL AGENDA**

1. Large Print agendas are available.
2. Call to Order – Mayor Doug Sprouse
3. Roll Call – Denise Pearce, City Clerk  
Recognition of a Quorum
4. Comments from Citizens  
The Council will hear brief comments from citizens present at the meeting during this period on issues not on the Agenda. No action will be taken tonight. All comments will be taken under advisement.
5. Approval of Minutes – February 9, 2021 Pgs. 4 - 16
6. Recognition of Service of former Council Members, Jim Reed, Kathy Jaycox and Rick Evans.
7. Annual Report from the Downtown Springdale Alliance and Outdoor Dining District Report presented by Jill Dabbs.
8. A Public Hearing on an Ordinance to abandon a portion of a utility easement at 294 Trevi Fontana (ordinance will be taken up later in the agenda).
9. Procedural Motions
  - A. Entertain Motion to read all Ordinances and Resolutions by title only.
  - B. Entertain Motion to dispense with the rule requiring that ordinances be fully and distinctly read on three (3) different days for ordinances listed on this agenda as item number(s) 12.A-F, 15. & 16. Motion must be approved by two-thirds (2/3) of the council members).
10. A Resolution approving the Appointment of J. Max Van Hoose to the Water and Sewer Commission. Pg. 17
11. Finance Committee by Chairman Jeff Watson
  - A. A Resolution authorizing the purchase of property located at 400 Park Street, Springdale, Washington County, Arkansas. Resolution forwarded from Committee with recommendation for approval. Pg. 18
  - B. A Resolution authorizing the expenditure of funds to acquire a portion of land (Tract 11) from Trinity Grace Church of Northwest Arkansas for the Dixieland Road Project (Project No. 18BPS14). Resolution forwarded from Committee with recommendation for approval. Pgs. 19 - 21

- C. **A Resolution** authorizing the City Attorney to settle two condemnation lawsuits wherein Steve Geels and Linda Geels are defendants. Resolution forwarded from Committee with recommendation for approval. Pg. 22
  - D. **A Resolution** expressing the willingness of the City of Springdale to utilize State Aid Street Monies for the following City project: Springdale Overlay. Resolution forwarded from Committee with recommendation for approval. Pgs. 23 - 53
  - E. **A Resolution** authorizing the purchase of two tracts of property (Parcel Numbers 21-00167-504 and 21-00167-542) located on Downum Road, Springdale, Benton County, Arkansas. Resolution forwarded from Committee with recommendation for approval. Pgs. 53 & 54
12. Planning Commission Report and **Recommendation** by Patsy Christie, Director of Planning and Community Development
- A. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning certain lands (.665 acres at 408 North Thompson Street; corner of 71B and W Maple Ave.) from General Commercial District (C-2) to Thoroughfare Commercial District (C-5) and declaring an emergency. Pgs. 55 - 57
  - B. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning certain lands (2.16 acres at 529 East Don Tyson Parkway; south side of E. Don Tyson Pky., west side of Powell St.) from Agricultural District (A-1) to Medium Density Single Family Residential District (SF-3) and declaring an emergency. Pgs. 58 - 60
  - C. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning certain lands (4.62 acres at 3161 North Thompson Street; east side of 71B) from Agricultural District (A-1) to General Commercial District (C-2) and declaring an emergency. Pgs. 61 - 63
  - D. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning certain lands (4.78 acres at 964 Maestri Road) from Agricultural District (A-1) to General Commercial District (C-2) and declaring an emergency. Pgs. 64 - 67
  - E. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning certain lands (5.1 acres at 7132 Bur Oak Road; west end of Bur Oak Rd.) from Agricultural District (A-1) to Low Density Single Family Residential District (SF-1) and declaring an emergency. Pgs. 68 - 70
  - F. **An Ordinance** amending Ordinance No. 3307 the same being the Zoning Ordinance of the City of Springdale, Arkansas, and the plat pertaining thereto by rezoning certain lands (4.6 acres at 3300 Clyde Lane; north side of E. Don Tyson Pky.) from Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2) and declaring an emergency. Pgs. 71 - 73
  - G. **A Resolution** approving a Conditional Use at 7132 Bur Oak Road for Bryan K. and Shannon R. Passmore (Tandem Lot Split in a Low Density Single Family Residential District; west end of Bur Oak Rd.) as set forth in Ordinance No. 4030. Pgs. 74 & 75
  - H. **A Resolution** approving a Conditional Use at 8727 East Wagon Wheel Road (south side of E Wagon Wheel Rd.) for Dominik and Isabelle Maerki as set forth in Ordinance No. 4030. Pgs. 76 & 77
  - I. **A Resolution** approving a Conditional Use at 4407-4409 South Thompson Street (Use Unit 44-Mobile Vending in a General Commercial District; east side of 71B) for Maria Hernandez as set forth in Ordinance No. 4030. Pgs. 78 - 80

- J. **A Resolution** approving a waiver of street improvements, drainage, curbs, gutters and sidewalks as set forth in Ordinance No. 3725 to Trey Thompson in connection with 4078 Carriage Crossing (north of Carriage Crossing Ln.) a Single Family Dwelling. Pgs. 81 & 82
13. Committee of the Whole
- A. **A Resolution** authorizing the grant of Water/Sewer Easements to the Springdale Water and Sewer Commission across property owned by the City of Springdale, Washington County, Arkansas. Resolution forwarded from Committee with recommendation for approval. Pgs. 83 - 86
- B. **A Resolution** authorizing the transfer of property (not used in the construction of Fire Station #8) to the Springdale Public Facilities Board. Resolution forwarded from Committee with recommendation for approval. Pgs. 87 - 89
14. Parks and Recreation by Mike Lawson
- A. **A Resolution** designating a project for the use of funds contributed (\$2,000,000.00) by the Springdale Public Facilities Board. Luther George Park Improvement Project is hereby designated as the project to receive the contribution. Resolution forwarded from Committee with recommendation for approval. Pgs. 90 & 91
- B. **A Resolution** authorizing the grant of a General Utility/Water/Sewer Easement across properties (Shaw Park) (Parcel Numbers 21-00167-471 and 2-00167-545) owned by the City of Springdale, Benton County, Arkansas. Resolution forwarded from Committee with recommendation for approval. Pgs. 92 - 102
15. **An Ordinance** releasing, vacating, and abandoning a portion of a Utility Easement located on property in Springdale, Washington County, Arkansas, to declare an emergency and for other purposes. Pgs. 103 - 105
16. **An Ordinance** authorizing the City Clerk to file a Clean-up Lien for the removal of overgrown brush and debris on property located within the City of Springdale, Arkansas, (1205 Crutcher and 2007 A Cypress). Ordinance presented by Ernest Cate, City Attorney. Pgs. 106 - 108
17. Comments from Council Members.
18. Comments from Department Heads.
19. Comments from City Attorney.
20. Comments from Mayor.
21. Adjournment.

SPRINGDALE CITY COUNCIL  
FEBRUARY 9, 2021

The City Council of the City of Springdale met in regular session on Tuesday, February 9, 2021, in the City Council Chambers, City Administration Building. Mayor Doug Sprouse called the meeting to order at 6:00 p.m.

Roll call was answered by:

Doug Sprouse	Mayor
Brian Powell	Ward 1
Amelia Williams	Ward 3
Jeff Watson	Ward 3
Mike Overton	Ward 2
Mike Lawson	Ward 4
Kevin Flores	Ward 2
Randall Harriman	Ward 1
Mark Fougrousse	Ward 4
Ernest Cate	City Attorney
Denise Pearce	City Clerk/Treasurer

Department heads present:

Mike Irwin	Fire Chief
Mike Peters	Police Chief
Wyman Morgan	Director of Financial Services
Patsy Christie	Planning & Comm. Dev. Director
James Smith	Assistant Public Works Director
Mark Gutte	IT Director
Colby Fulfer	Assistant to the Mayor

APPROVAL OF MINUTES

Council Member Williams moved the minutes of the January 26, 2021 City Council meeting be approved as presented. Council Member Powell made the second.

There was a voice vote of all ayes and no nays.

SPRINGDALE PUBLIC FACILITIES BOARD

City Council members were presented with cash balances as of December 31, 2020, for the Springdale Public Facilities Board.

PUBLIC HEARING ON AN ORDINANCE TO ANNEX SURROUNDED LAND

City Attorney Ernest Cate opened up a public hearing on an ordinance annexing nine parcels completely surrounded by the City of Springdale located at the area of the roundabout at Don Tyson Parkway and Habberton Road.

There were no public comments.

ORDINANCES AND RESOLUTIONS READ BY TITLE ONLY

Council Member Williams made the motion to read all Ordinances and Resolutions by title only and to dispense with the rule requiring that ordinances be fully and distinctly read on three (3) different days for all items listed on this agenda. Council Member Powell made the second.

The vote:

Yes: Lawson, Flores, Harriman, Fougrousse, Powell, Williams, Watson, Overton

No: None

ORDINANCE NO. 5559 – AMENDING CHAPTER 56 (REGULATIONS  
PERTAINING TO LANDSCAPE AND BUFFERS) OF THE CODE OF ORDINANCES  
OF THE CITY OF SPRINGDALE, ARKANSAS; TO DECLARE AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance amending Chapter 56 of the Code of Ordinances of the City of Springdale and declaring an emergency. Chapter 56 contains regulations pertaining to landscape and buffers and needs to be amended to update certain provisions, and to provide clarity in the application of this Chapter.

Planning Commission held a public hearing on January 5, 2021 and recommended approval.

After reading the title of the Ordinance, Council Member Powell moved the Ordinance “Do Pass”. Council Member Harriman made the second.

The vote:

Yes: Flores, Harriman, Fougrousse, Powell, Williams, Watson, Overton, Lawson

No: None

Council Member Powell moved the Emergency Clause be adopted. Council Member Williams made the second.

The vote:

Yes: Harriman, Fougrousse, Powell, Williams, Watson, Overton, Lawson, Flores,

No: None

The Ordinance was numbered 5559.

ORDINANCE NO. 5560 – ACCEPTING THE RE-PLAT OF LOTS 14 AND 15,  
BLOCK 2, CARTER ADDITION TO THE CITY OF SPRINGDALE, ARKANSAS,  
AND DECLARING AN EMERGENCY

Planning Director Patsy Christie presented an Ordinance accepting the Re-Plat of Lots 14 and 15, Block 2, Carter Addition to the City of Springdale, Arkansas, and declaring an emergency.

Planning Commission held a public hearing on January 5, 2021 and recommended approval.

After reading the title of the Ordinance, Council Member Harriman moved the Ordinance “Do Pass”. Council Member Powell made the second.

The vote:

Yes: Fougrousse, Powell, Williams, Watson, Overton, Lawson, Flores, Harriman

No: None

Council Member Powell moved the Emergency Clause be adopted. Council Member Harriman made the second.

The vote:

Yes: Powell, Williams, Watson, Overton, Lawson, Flores, Harriman, Fougrousse

No:   None

The Ordinance was numbered 5560.

RESOLUTION NO. 8-21 – ADOPTING AND APPROVING THE 2019 AMENDED ACTION PLAN FOR CARES ACT VERSION 3 (CV3)

Planning Director Patsy Christie presented a Resolution adopting and approving the 2019 Amended Action Plan for Cares Act Version 3 (CV3).

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION ADOPTING AND APPROVING  
THE 2019 AMENDED ACTION PLAN FOR  
CARES ACT VERSION 3 (CV3)**

**WHEREAS**, in accordance with the guidelines established by the Department of Housing & Urban Development for the Community Development Block Grant Program, another 2019 Amendment to the Action Plan was developed, a copy of which is attached and made part of the resolution; and

**WHEREAS**, a final public hearing was held before the City Council on February 9, 2021

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF  
THE CITY OF SPRINGDALE, ARKANSAS:**

1. That The 2019 Program Year Action Plan amendment for the use of Community Development Block Grant Program Funds, a copy of which is attached and made a part as though set out herein word or word, is approved and authorized for submission to the United States Department of Housing and Urban Development on February 10, 2021.
2. That Mayor Doug Sprouse is hereby designated as the authorized official to execute all documents pertaining to the Community Development Block Grant Program.

**PASSED AND APPROVED this \_\_\_\_ day of February, 2021.**

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, City Attorney

"Attachment"

**COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM COVID19 CV3  
TOTAL FUNDING ANTICIPATED: \$445,382**

Springdale, as an entitlement city of the Community Development Block Grant Program, has been allocated a second round of COVID19 funds in the amount of \$445,382. The funds are to be used "To prevent, prepare for, and respond to the Coronavirus". The first allocation received by the City was \$478,318 and has been distributed as approved by the City Council.

Staff has worked with nonprofit organizations in the City that are on the front line assisting the needs of the community with rental assistance, food distribution, clothing, utility subsidies and other essential needs during the pandemic to solicit their needs and to review their ability to administer grants consistent with federal guidelines.

The following nonprofit organizations expressed a need for funding and understand grant requirements including both use and reporting and indicated they have the capacity to accept grant funds. Staff is recommending that funds be distributed as follows:

**1. Northwest Arkansas Food Bank**

Due to the pandemic, most of the food shelters have been working overtime and have lost space to keep up with the up rise in need for food and essential items. The Food Bank will be purchasing box truck to assist with movement of food distribution. The organization assisted with over 960 Springdale families, through distribution of food.

**Funding Amount: \$139,283**

**2. Dinners for Veterans**

The pandemic took a toll on the veterans in Springdale and surrounding areas. This organization will assist with food subsidies, rental, utility and other essential items. Just like the VFW they will assist the senior citizens in our community.

**Funding Amount: \$20,000**

**3. Arkansas Crisis Center**

Being quarantined for months on end will cause problems. Suicide has gone up 35% since this process has started and 1/3 of adult are reported symptoms of clinical anxiety and depression. The funds will assist with helping the communications and call centers. The call center has an increase of 108% in calls and needs assistance with the call center and additional staff to take calls.

**Funding Amount: \$100,000**

**4. Returning Home**

The quarantine process has also affected this organization by longer stays and longer processes to get the clients into society. The organizations kitchen is too small to handle the influx of personnel going through the doors. The funding will help build a better kitchen to accommodate the larger population.

**Funding Amount: \$58,183**

**5. Epikos Center NWA**

Homelessness is an issue with the pandemic. This organization will assist with the problem by purchasing vouchers for showers, laundry services and other essential duties. Thus it will help with safety issues that concern the homeless. They also provide services such as life coaches and other catalyst to help homeless individuals to get into a home/ shelter.

**Funding Amount: \$56,200**

**6. Hope Distributors**

This organization assists with movement of food to shelters, coordinates food giveaways. Also they are assisting with utility, rental and other essential payments needed through the pandemic. Since the pandemic, they have lost revenue and lost employees due to the pandemic; this will bring these employees back and assist with the overall movement of food and material to those who need it.

**Funding Amount: \$50,000**



**7. Community Clinic**

At the forefront of the pandemic are the medical facilities assisting with all of the community needs. This organization will bring in more PPE and assistance with the funds provided

**Funding Amount: \$21,716**

Council Member Williams moved the Resolution be adopted. Council Member Flores made the second.

The vote:

Yes: Williams, Watson, Overton, Lawson, Flores, Harriman, Fougrousse, Powell

No: None

The Resolution was numbered 8-21.

RESOLUTION NO. 9-21 – APPROVING REAPPOINTMENTS TO THE  
SPRINGDALE PLANNING COMMISSION

Mayor Doug Sprouse presented a Resolution approving the reappointments of Gary Compton, Ben Peters and Dale Tyler to the Springdale Planning Commission.

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION APPROVING  
RE-APPOINTMENTS TO THE SPRINGDALE  
PLANNING COMMISSION**

**WHEREAS**, Gary Compton, Ben Peters and Dale Tyler's terms on the Springdale Planning Commission expired January 31, 2021; and

**WHEREAS**, Section 90-26 of the Springdale Code of Ordinances provides for these appointments by the Mayor with the approval of the City Council; and

**WHEREAS**, the Mayor has selected Gary Compton to be reappointed to Seat #3; Ben Peters to be reappointed to Seat #4, and Dale Tyler to be reappointed to Seat #9 on the Springdale Planning Commission; in accordance with Section 90-26 of the Springdale Code of Ordinances; and

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS** that the Mayor's reappointments of Gary Compton, is hereby reappointed to Seat #3; Ben Peters, is hereby reappointed to Seat #4; and Dale Tyler, is hereby reappointed to Seat #9 on the Springdale Planning Commission for a (4) four-year term expiring on January 31, 2025.

**PASSED AND APPROVED** this \_\_\_\_ day of February, 2021.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, CITY ATTORNEY



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Council Member Powell moved the Resolution be adopted. Council Member Flores made the second.

The vote:

Yes: Watson, Overton, Lawson, Flores, Harriman, Fougrousse, Powell, Williams

No: None

The Resolution was numbered 9-21.

ORDINANCE NO. 5561 – AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN AGREEMENT WITH THE SPRINGDALE CHAMBER OF COMMERCE TO PROMOTE BUSINESS DEVELOPMENT AND ECONOMIC GROWTH AND WAIVE COMPETITIVE BIDDING AND FOR OTHER PURPOSES

Council Member Jeff Watson presented an Ordinance authorizing the Mayor and City Clerk to enter into an agreement with the Springdale Chamber of Commerce to promote business development and economic growth for the total sum of \$225,000.00 per year and waiving competitive bidding.

After reading the title of the Ordinance, Council Member Lawson moved the Ordinance “Do Pass”. Council Member Harriman made the second.

The vote:

Yes: Overton, Lawson, Flores, Harriman, Fougrousse, Powell, Williams, Watson

No: None

Council Member Lawson moved the Emergency Clause be adopted. Council Member Harriman made the second.

The vote:

Yes: Lawson, Flores, Harriman, Fougrousse, Powell, Williams, Watson, Overton

No: None

The Ordinance was numbered 5561.

RESOLUTION NO. 10-21 – AMENDING THE 2021 BUDGET OF THE CITY ADMINISTRATION REGARDING THE AGREEMENT WITH THE CHAMBER OF COMMERCE

Council Member Jeff Watson presented a Resolution amending the 2021 Budget of the City Administration regarding the agreement with the Chamber of Commerce.

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION AMENDING THE 2021 BUDGET OF THE CITY  
ADMINISTRATION**

**WHEREAS**, the City Council recognizes the need for the Economic Development activities of the Springdale Chamber of Commerce, and

**WHEREAS**, the Chamber is actively involved in promoting business development and economic growth for the City of Springdale and wishes to increase the annual request from \$200,000 per year to \$225,000, and

SPRINGDALE CITY COUNCIL  
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**WHEREAS**, funds for this additional amount of \$25,000 were not included in the 2021 budget;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS, that** the 2021 budget is hereby amended as follows:

<u>Department</u>	<u>Account No.</u>	<u>Description</u>	<u>Present Budget</u>	<u>Increase</u>	<u>Decrease</u>	<u>Proposed Budget</u>
Administration	10101014117804	Economic Development	200,000	25,000		225,000

**PASSED AND APPROVED** this \_\_\_\_ day of February, 2021.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, City Attorney

Council Member Lawson moved the Resolution be adopted. Council Member Harriman made the second.

The vote:

Yes: Flores, Harriman, Fougrousse, Powell, Williams, Watson, Overton, Lawson

No: None

The Resolution was numbered 10-21.

RESOLUTION NO. 11-21 – AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT WITH TOP HAT CHIMNEY AND ROOFING INC. WHO SUBMITTED THE LOWEST BID IN THE AMOUNT

Council Member Jeff Watson presented a Resolution authorizing the execution of a construction contract with Top Hat Chimney and Roofing Inc. for Shiloh Meeting Hall roof repairs and appropriating funds.

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT FOR SHILOH MEETING HALL ROOF REPAIRS AND APPROPRIATING FUNDS  
CP2002**

**WHEREAS**, Springdale administration has received bids for repair work on the Shiloh Meeting Hall roof, and

**WHEREAS**, the low bid of \$54,586.26 was received from Top Hat Building & Roofing, Inc., and

**WHEREAS**, The City has a balance of \$61,420.00 funds appropriated for this project.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR  
THE CITY OF SPRINGDALE, ARKANSAS, that**

Section 1. The Mayor and City Clerk are hereby authorized to execute a contract with Top Hat Chimney & Roofing, Inc. for repairs to Shiloh Meeting Hall roof repairs for a cost of \$54,586.26.

Section 2. The Mayor is authorized to approve construction change orders as long as the cumulative total of the change orders does not exceed 10% of the original contract price.

**PASSED AND APPROVED** this \_\_\_\_ day of February, 2021.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, City Attorney

Council Member Harriman moved the Resolution be adopted. Council Member Williams made the second.

The vote:

Yes: Harriman, Fougrousse, Powell, Williams, Watson, Overton, Lawson, Flores

No: None

The Resolution was numbered 11-21.

**RESOLUTION NO. 12-21 – AUTHORIZING THE EXECUTION OF A CHANGE  
ORDER (NO. 1) FOR THE CONSTRUCTION CONTRACT FOR THE SPRINGDALE  
MUNICIPAL COMPLEX PROJECT NO. 18BPC1**

Council Member Jeff Watson presented a Resolution authorizing the execution of a change order (No. 1) for the construction contract for the Springdale Municipal Complex Project No. 18BPC1.

Change Order No. 1 accounts for additional work requested and only unavoidable delay days which equals a 2.16% increase in the project cost (not including south addition). In addition, Change Order 1 includes an option for the city to add the alternate south addition to the existing building. Including the south addition alternate, the change order represents a 3.36% increase in the project cost.

Sam Hollis, Milestone Construction, and Roy Decker, Architect, were present to explain what the change order request includes.

Construction Change Order No. 1 includes four types of changes on the project.

1. Owner requested adjustments	\$287,705.00
2. Radio Tower	\$ 60,418.00
3. South Addition Alternate	\$503,089.00
4. Time and extended overhead cost	\$426,921.00

The Contractor is requesting an extension 287 days be added to the contract time. Milestone has encountered several no-fault delays on the project. These days include inclement weather days, unforeseen underground site conditions and Covid-19 delays. The architects will be required to provide full construction administration for the extended time. Costs include architectural and engineering services and associated travel costs. The new completion date will be July 22, 2022.

Council members expressed concern with the cost associated with time and extended overhead cost delay. They agreed there needs to be better communication so they are made aware of these issues that cause these change orders.

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION AUTHORIZING THE EXECUTION OF A  
CHANGE ORDER FOR THE CONSTRUCTION CONTRACT FOR  
THE SPRINGDALE MUNICIPAL COMPLEX  
PROJECT # 18BPC1**

**WHEREAS**, the City of Springdale has contracted with Milestone Construction Company to construct the new Springdale Municipal Campus, and

**WHEREAS**, there have been numerous challenges and delays that are more fully explained the attached memo from Roy Decker, and

**WHEREAS**, change order NO. 1 totals \$1,278,133 and includes the community room on the south of the building for a costs of \$503, 089, and

**WHEREAS**, there is a balance of \$552,581 of funds in the construction fund available for this change order and a need of additional funds of \$725,552.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR  
THE CITY OF SPRINGDALE, AR that:**

**Section 1.** the Mayor is hereby authorized to execute change order no 1 for construction of the municipal campus.

**Section 2.** There is hereby appropriated \$725,552 of funds from the General Fund to pay the balance of the change order.

**PASSED AND APPROVED** this \_\_\_\_ day of February, 2021.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, City Attorney

Council Member Williams moved the Resolution be adopted. Council Member Harriman made the second.

The vote:

Yes: Fougrousse, Powell, Williams, Watson, Lawson, Flores, Harriman

No: Overton

The Resolution was numbered 12-21.

RESOLUTION NO. 13-21 – AUTHORIZING THE EXECUTION OF AN  
AMENDMENT TO AN ARCHITECTURE CONTRACT FOR THE SPRINGDALE  
MUNICIPAL CAMPUS, PROJECTS NO. 18BPC1 AND 18BPC2

Council Member Jeff Watson presented a Resolution authorizing the execution of an amendment to an architecture contract with Duvall Decker Architects P.A. for the Springdale Municipal Campus Projects No. 18BPC1 and 18BPC2.

Due to the contractor's extended schedule, the architects will be required to provide full construction administration services for an additional nine and one-half months beyond the original agreement and budget for the original fee.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN  
AMENDMENT TO AN ARCHITECTURE CONTRACT FOR THE  
SPRINGDALE MUNICIPAL CAMPUS  
PROJECT NO. 18BPC1 AND 18BPC2**

**WHEREAS**, the contractor experienced 80 days of no-fault delays due to inclement weather, 19 days due to delayed material delivery, 175 days due to COVID-19 virus related that will extend the 780 calendar days provided in the construction contract. The total critical path days delayed on the project total 287, and

**WHEREAS**, the extension of the construction period will require additional oversight by the architecture firm, and

**WHEREAS**, there have been several changes requested by the City during construction that required additional work by the architecture firm, and

**WHEREAS**, the 2021 adopted budget includes funds for the anticipated architecture fees to be paid this year, the additional fees included in this amendment will be included in the Mayor's proposed 2022 budget.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that the Mayor and City Clerk are hereby authorized to execute a contract amendment with Duvall Decker Architects P.A. for the Springdale Municipal Campus Project for an additional costs of \$317,241.00

**PASSED AND APPROVED** this \_\_\_\_ day of February, 2021.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, City Attorney

Council Member Williams moved the Resolution be adopted. Council Member Lawson made the second.

The vote:

Yes: Powell, Williams, Watson, Overton, Lawson, Flores, Harriman, Fougrousse

No: None

The Resolution was numbered 13-21.

ORDINANCE NO. 5562 – ANNEXING LANDS PURSUANT TO ARKANSAS CODE ANNOTATED §14-40-501 ET. SEQ. (NINE PARCELS COMPLETELY SURROUNDED BY THE CITY OF SPRINGDALE LOCATED AT THE AREA OF THE ROUNDABOUT AT DON TYSON PARKWAY AND HABBERTON ROAD)

City Attorney Ernest Cate presented an Ordinance annexing nine parcels completely surrounded by the City of Springdale located at the area of the roundabout at Don Tyson Parkway and Habberton Road, pursuant to Arkansas Code Annotated §14-40-501 et. seq.

There were no comments made at the public hearing held earlier in the meeting.

After reading the title of the Ordinance, Council Member Powell moved the Ordinance “Do Pass”. Council Member Williams made the second.

The vote:

Yes: Williams, Watson, Overton, Lawson, Flores, Harriman, Fougrousse, Powell

No: None

The Ordinance was numbered 5562.

ORDINANCE NO. 5563 – TO ESTABLISH AND ASSESS A VIDEO SERVICE PROVIDER FEE FROM RITTER COMMUNICATIONS HOLDINGS, LLC, PURSUANT TO THE ARKANSAS VIDEO SERVICE ACT AND ARK. CODE ANN. §23-19-201 ET. SEQ.

City Attorney Ernest Cate presented an Ordinance to establish and assess a video service provider fee from Ritter Communications Holdings, LLC, pursuant to the Arkansas Video Service Act and Ark. Code Ann. §23-19-201 *et. seq.*

In 2013, the Arkansas General Assembly passed Act 276 of 2013, known as the Arkansas Video Service Act (“the Act”), and codified as Ark. Code Ann. §23-19-201, *et seq.*

The Act provides that a video service provider shall pay to the political subdivision where it provides video service a video service provider fee as may be required by the political subdivision. On November 10, 2020, the City Council for the City of Springdale, Arkansas, adopted Resolution 131-20, thereby providing ninety (90) days' notice to Ritter Communications Holdings, LLC, of the City's intent to establish and assess a video service provider fee in the amount of four percent (4.00%) of gross revenues, to be determined and paid in accordance with and as provided in the Arkansas Video Service Act with the first payment to be due and payable forty-five (45) days after the close of the next calendar quarter.

After reading the title of the Ordinance, Council Member Harriman moved the Ordinance “Do Pass”. Council Member Williams made the second.

The vote:

Yes: Watson, Overton, Lawson, Flores, Harriman, Fougrousse, Powell, Williams

No: None

The Ordinance was numbered 5563.

ORDINANCE NO. 5564 – AUTHORIZING THE CITY CLERK TO FILE A CLEAN-UP LIEN FOR THE REMOVAL OF OVERGROWN BRUSH AND DEBRIS ON PROPERTY LOCATED AT 705 BUFORD STREET, SPRINGDALE, ARKANSAS

City Attorney Ernest Cate presented an Ordinance authorizing the City Clerk to file a clean-up lien for the removal of overgrown brush and debris on property located at 705 Buford Street, Springdale, Arkansas. Carole Palesotti, Josh & Jeremy Stamps and Kenneth Powell are the owners.

After reading the title of the Ordinance, Council Member Lawson moved the Ordinance “Do Pass”. Council Member Harriman made the second.

The vote:

Yes: Overton, Lawson, Flores, Harriman, Fougrousse, Powell, Williams, Watson

No: None

Council Member Powell moved the Emergency Clause be adopted. Council Member Williams made the second.

The vote:

Yes: Lawson, Flores, Harriman, Fougrousse, Powell, Williams, Watson, Overton

No: None

The Ordinance was numbered 5564.

ORDINANCE NO. 5565 – ACCEPTING FOR ANNEXATION CERTAIN PROPERTY INTO THE CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, PURSUANT TO ARK. CODE ANN. §14-40-609 (OWNER: RONDA POOLE)

City Attorney Ernest Cate presented an Ordinance accepting for annexation certain property into the City of Springdale, Washington County, Arkansas, pursuant to Ark. Code Ann. §14-40-609.

Ronda Poole is the owner of three parcels located in the county off of Wilson Cemetery Road, east of Highway 265.

After reading the title of the Ordinance, Council Member Overton moved the Ordinance “Do Pass”. Council Member Lawson made the second.

The vote:

Yes: Flores, Harriman, Fougrousse, Powell, Williams, Watson, Overton, Lawson

No: None

The Ordinance was numbered 5565.

COUNCIL COMMITTEE MEETING

The City Council committee meeting will be moved to Tuesday, February 16, 2021, due to the President's Day holiday on Monday, February 15<sup>th</sup>.



ADJOURNMENT

Council Member Overton made the motion to adjourn. Council Member Lawson made the second.

After a voice vote of all ayes and no nays, the meeting adjourned at 8:10 p.m.

---

Doug Sprouse, Mayor

---

Denise Pearce, City Clerk/Treasurer

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING THE  
APPOINTMENT OF J. MAX VAN HOOSE TO  
FILL A VACANCY ON THE SPRINGDALE  
WATER & SEWER COMMISSION**

**WHEREAS**, the Springdale City Council adopted Ordinance No. 3592, thereby establishing a five-member board of Water and Sewer Commissioners;

**WHEREAS**, Terry McConnell is stepping down as a Commissioner, and the remaining Commissioners desire that J. Max Van Hoose be appointed to fulfill the remainder of the term on the Springdale Water & Sewer Commission which will expire on March 6, 2025; and

**WHEREAS**, pursuant to Ark. Code Ann. §14-234-304(d), in the event of a vacancy on the Commission, the vacancy shall be filled by the remaining Commissioners appointing a member, subject to the approval of two-thirds ( $\frac{2}{3}$ ) of the City Council;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that the appointment of J. Max Van Hoose to fulfill the remainder of the term on the Springdale Water & Sewer Commission, with a term expiration date of March 6, 2025, is hereby approved.

**PASSED AND APPROVED** this 23<sup>rd</sup> day of February, 2021.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest Cate, City Attorney

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE PURCHASE OF  
PROPERTY LOCATED AT 400 PARK STREET,  
SPRINGDALE, WASHINGTON COUNTY, ARKANSAS.**

**WHEREAS**, Northwest Medical Center currently owns property located at 400 Park Street, Springdale, Washington County, Arkansas, Parcel Number 815-24901-000, ("the Property"), and more particularly described as follows:

A part of the Southwest Quarter of the Southeast Quarter of Section 36, Township 18 North, Range 30 West, Washington County, Arkansas, being more particularly described as follows: The North 107 feet of Lots 1, 2, and 3 and the East 15 feet of Lot 61 of the Picnic Addition, an addition to the City of Springdale, Arkansas, per the plat of said addition on file in the office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas.

**WHEREAS**, the owner has agreed to sell the Property to the City of Springdale for the total sum of \$235,000.00, said amount being based on an appraisal commissioned by the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS** that the Mayor is hereby authorized to execute all documents necessary for the acquisition of the Property in the amount of \$235,000.00, plus associated closing costs, to be paid from Community Development Block Grant funds.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, City Attorney

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE EXPENDITURE  
OF FUNDS TO ACQUIRE A PORTION OF LAND FROM  
TRINITY GRACE CHURCH OF NORTHWEST  
ARKANSAS FOR THE DIXIELAND ROAD PROJECT  
(PROJECT NO. 18BPS14).**

**WHEREAS**, the City of Springdale is in need of acquiring a portion of a tract of land for the Dixieland Road Project, Project No. 18BPS14, Tract 11, said land being owned by Trinity Grace Church of Northwest Arkansas;

**WHEREAS**, the City of Springdale has determined by appraisal that the sum of \$283,100.00 is the estimated just compensation for the property needed from Trinity Grace Church of Northwest Arkansas;

**WHEREAS**, the property owner has extended a counter-offer that the City pay the total sum of \$325,565.00 to acquire the land needed for the project, said amount being based on an appraisal commissioned by Trinity Grace Church of Northwest Arkansas;

**WHEREAS**, it is the recommendation of the City Attorney and the Mayor's Office that the City Council approve the additional sum of \$42,465.00 to acquire the property needed from Trinity Grace Church of Northwest Arkansas, as this amount is reasonable, is justified, and will avoid the cost, expense, and risk of a trial;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that the City is hereby authorized to acquire a portion of a tract of land for the Dixieland Road Project, Project No. 18BPS14, Tract 11, said land being owned by Trinity Grace Church of Northwest Arkansas for the total sum of \$325,565.00.

**PASSED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, CITY ATTORNEY

**Integra Realty Resources**  
**Fayetteville**

**Appraisal of Real Property**

**10.0 Acres - Vacant Commercial Land**  
**Vacant Land**  
**West Apple Blossom Avenue**  
**Springdale, Benton County, Arkansas 72745**  
**Client Reference: Parcel 21-00122-001**

**Prepared For:**  
**Trinity Grace Church**

**Effective Date of the Appraisal:**  
**January 28, 2021**

**Report Format:**  
**Appraisal Report – Comprehensive Format**

**IRR - Fayetteville**  
**File Number: 202-2021-0008**



Executive Summary

Property Name	10.0 Acres - Vacant Commercial Land		
Address	West Apple Blossom Avenue Springdale, Benton County, Arkansas 72745		
Property Type	Land - Other		
Owner of Record	Trinity Grace Church of Northwest Arkansas		
Tax ID	21-00122-001		
Land Area	10.00 acres; 435,600 SF		
Zoning Designation	C-2, General Commercial District		
Highest and Best Use	Commercial use		
Exposure Time; Marketing Period	12 months; 12 months		
Effective Date of the Appraisal	January 28, 2021		
Date of the Report	February 2, 2021		
Property Interest Appraised	Fee Simple		
Sales Comparison Approach			
Number of Sales	5		
Range of Sale Dates	Jul 18 to Dec 20		
Range of Prices per SF (Unadjusted)	\$2.00 - \$3.37		
Market Value Conclusion	\$1,020,000	(\$2.34/SF)	

The values reported above are subject to the definitions, assumptions, and limiting conditions set forth in the accompanying report of which this summary is a part. No party other than Trinity Grace Church may use or rely on the information, opinions, and conclusions contained in the report. It is assumed that the users of the report have read the entire report, including all of the definitions, assumptions, and limiting conditions contained therein.

Extraordinary Assumptions and Hypothetical Conditions

The value conclusions are subject to the following extraordinary assumptions. An extraordinary assumption is an assignment-specific assumption as of the effective date regarding uncertain information used in an analysis which, if found to be false, could alter the appraiser's opinions or conclusions.

1. None

The value conclusions are based on the following hypothetical conditions. A hypothetical condition is a condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results, but is used for the purpose of analysis.

1. None

The use of any extraordinary assumption or hypothetical condition may have affected the assignment results.

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE CITY ATTORNEY  
TO SETTLE TWO CONDEMNATION LAWSUITS  
WHEREIN STEVE GEELS AND LINDA GEELS ARE  
DEFENDANTS.**

**WHEREAS**, the City of Springdale has filed two lawsuits against Steve Geels and Linda Geels to condemn easements across two tracts of property owned by the Geels for the Gene George Boulevard (Bleaux Avenue to Elm Springs Road) (Project 18BPS1), Tract 55 and Tract 56;

**WHEREAS**, the City of Springdale deposited the sum of \$56,300.00 into the Registry of the Court as estimated just compensation for the easements across the two subject properties;

**WHEREAS**, on February 10, 2021, the City and the property owners participated in court-ordered mediation of these two cases;

**WHEREAS**, after the conclusion of the court-ordered mediation of these two cases, it is the recommendation of the Mayor and City Attorney that the City Council approve the additional sum of \$42,200.00 to settle these two lawsuits, as this amount is reasonable, is justified, will avoid the cost, expense, and risk of a trial, and said amount has been agreed upon by the Geels;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that the City Attorney is hereby authorized to settle the Steve Geels and Linda Geels condemnation lawsuits for the total sum of \$98,500.00, with the additional \$42,200.00 to be paid from the 2018 Street Bond Program Gene George Boulevard (Bleaux Avenue to Elm Springs Road) (Project 18BPS1).

**PASSED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, CITY ATTORNEY



RESOLUTION NO \_\_\_\_\_

A RESOLUTION EXPRESSING THE WILLINGNESS OF  
THE CITY OF SPRINGDALE  
TO UTILIZE STATE AID STREET MONIES  
FOR THE FOLLOWING CITY PROJECT:

Springdale Overlay

**WHEREAS:** the City of Springdale understands that State Aid Street Program funds are available for certain city projects at the following participating ratios:

	<u>Work Phase</u>	<u>State Aid%</u>	<u>City%</u>
Reconstruction/Resurfacing Construction of City Projects	Preliminary Engineering	100%	-0-
	Right of Way	-0-	100%
	Utilities	-0-	100%
	Construction	90%	10%
	Construction Engineering	100%	-0-
City projects programmed But not let to contract	All Phases	-0-	100%

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS, that:**

**SECTION 1:** The City will participate in accordance with its designated responsibilities in this project.

**SECTION 2:** The Mayor, or his designee, is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of this city project.

**SECTION 3:** The City agrees upon completion of the project to assume the maintenance of the right-of-way by City Forces and/or others including utilities and individuals in accordance with the prevailing Arkansas Department of Transportation regulations.

**SECTION 4:** The City pledges its full support and hereby authorizes the Arkansas Department of transportation to initiate action to implement this project.

**SECTION 5:** The Mayor is hereby authorized, for this project, to institute eminent domain proceedings in any instance that an agreement has not been reached with the property owner regarding the amount of just compensation to be paid for the acquisition of property and easements. All settlements proposed by the Mayor that exceed the appraised value will be presented to the City Council for approval.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

\_\_\_\_\_  
Ernest B. Cate, City Attorney



ARKANSAS DEPARTMENT OF TRANSPORTATION

ArDOT.gov | IDriveArkansas.com | Lorie H. Tudor, P.E., Director

STATE AID DIVISION

10324 Interstate 30 | P.O. Box 2261 | Little Rock, AR 72203-2261 | Phone: 501.569.2346 | Fax: 501.569.2348

February 1, 2021

RECEIVED FEB 08 2021

The Honorable Doug Sprouse  
Mayor of Springdale  
201 Spring Street  
Springdale, Arkansas 72764

Job C76063  
Springdale Overlay (S)  
Various City Streets  
Benton & Washington Counties

Dear Mayor Sprouse:

In anticipation of your request being approved by the Street Committee in February, we have prepared the enclosed set of plans for the subject job. Construction funding has not been approved at this time.

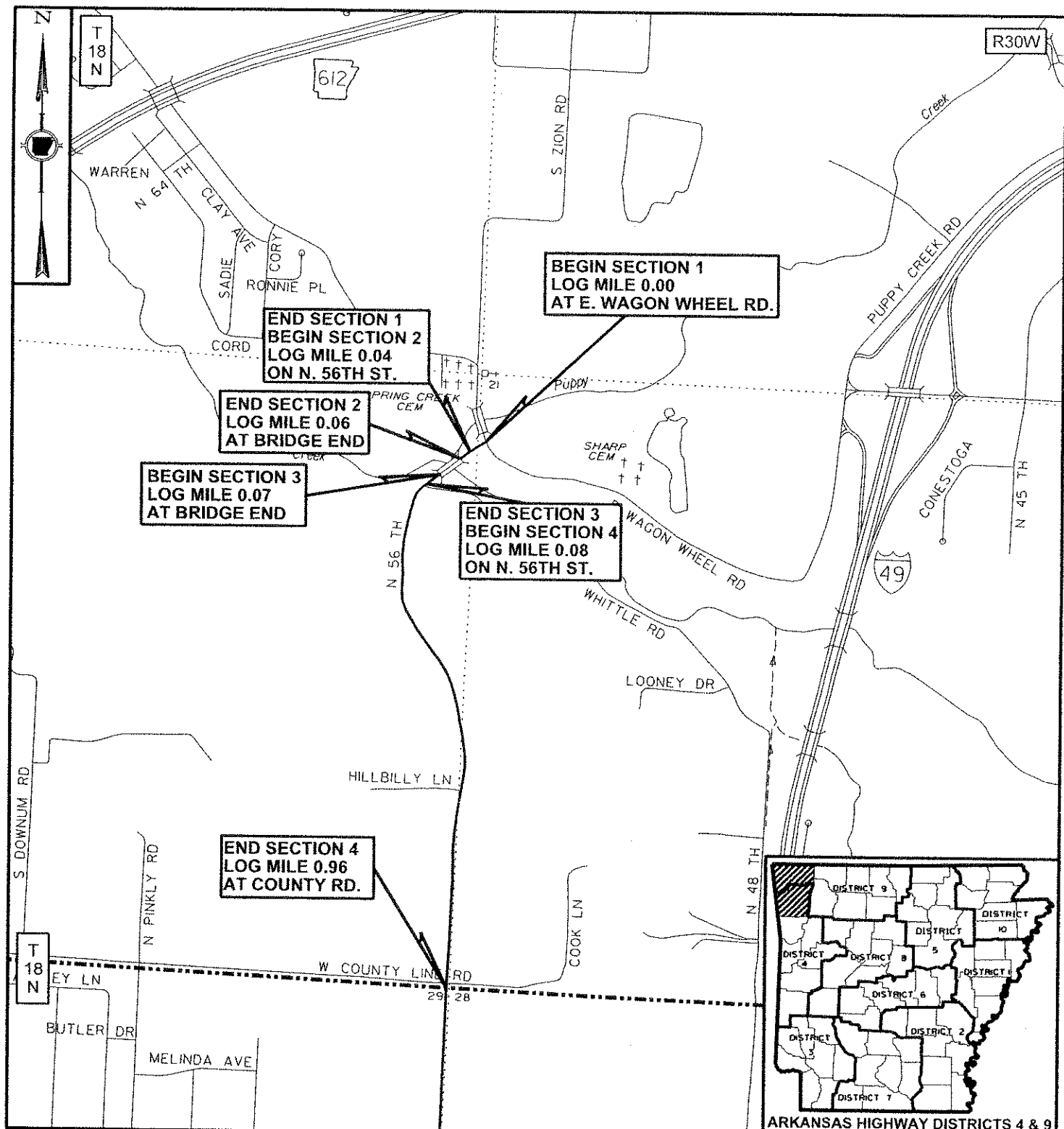
In accordance with the State Aid City Street Program law, cities with a population greater than 25,000 are required to pay 10% of the cost of the Street Program project.

Enclosed is a sample resolution for the referenced job reflecting the required 10% matching City funding. In order to proceed, the resolution is required to be on file with the State Aid Division. Please return this resolution as soon as possible.

Sincerely,

Bryan Freeling  
State Aid Engineer

BEF:PA:caa  
Enclosures



# JOB C76063

## SPRINGDALE OVERLAY (S)

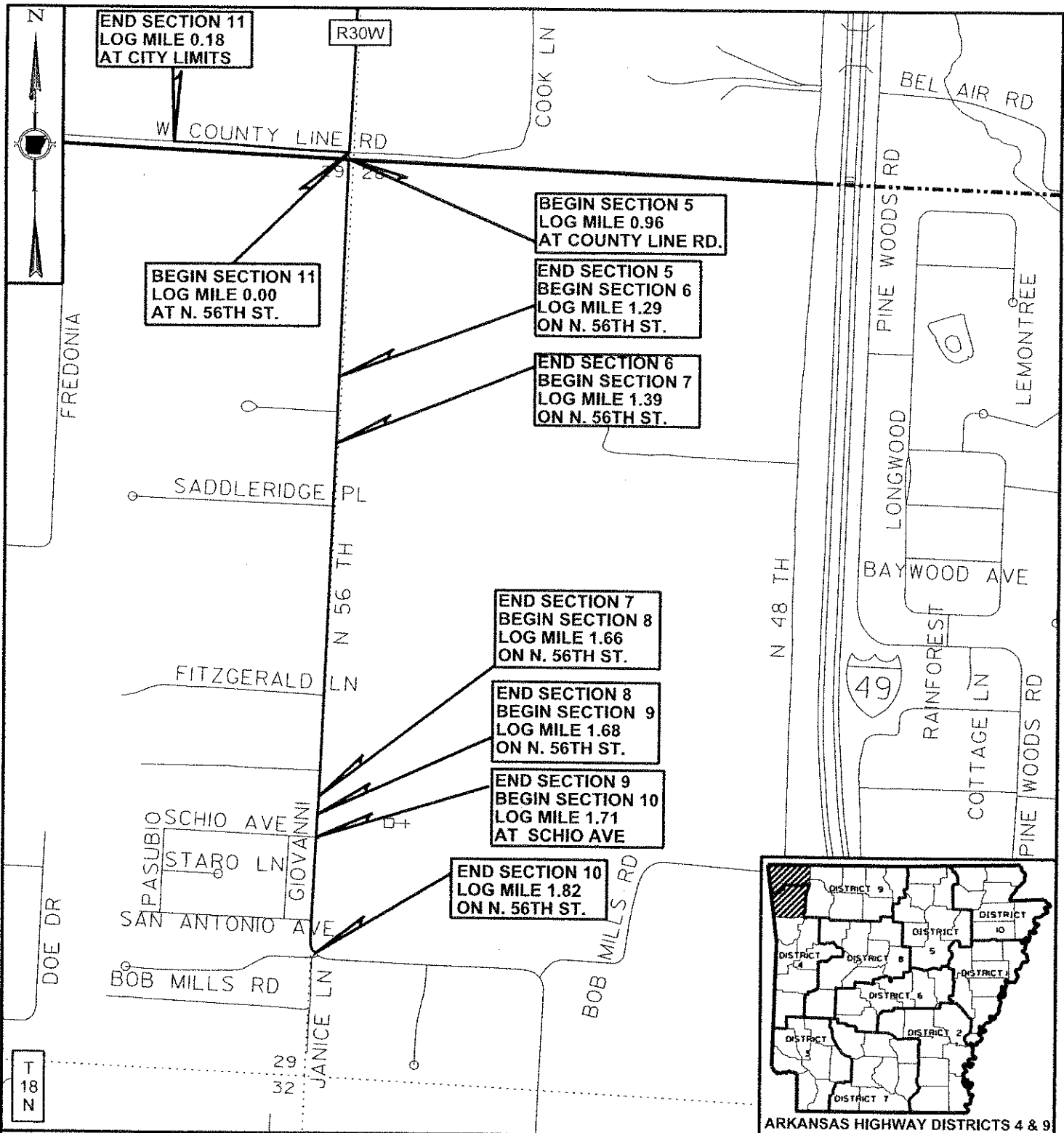
### VARIOUS CITY STREETS

### BENTON & WASHINGTON COUNTIES



APPROXIMATE CENTER OF PROJECT  
 LATITUDE: N 36° 12' 44"  
 LONGITUDE: W 94° 11' 30"

Freeling, Bryan E.  
 Feb 1 2021 4:05 PM



ARKANSAS HIGHWAY DISTRICTS 4 & 9

**JOB C76063**  
**SPRINGDALE OVERLAY (S)**  
**VARIOUS CITY STREETS**  
**BENTON & WASHINGTON COUNTIES**



APPROXIMATE CENTER OF PROJECT  
LATITUDE: N 36° 12' 44"  
LONGITUDE: W 94° 11' 30"

*[Signature]*  
Feb 1 2021 4:05 PM

## SUMMARY OF QUANTITIES

[illegible]

## REVISIONS

[illegible]

**SHEET 24 OF 24**

INDEX OF SHEETS

TITLE

SHEET NO.

1 - 2	TITLE SHEETS
3	INDEX OF SHEETS AND STANDARD DRAWINGS
4	GOVERNING SPECIFICATIONS
5	GENERAL NOTES
6 - 14	TYPICAL SECTIONS OF IMPROVEMENT
15 - 17	SPECIAL DETAILS
18 - 23	QUANTITIES
24	SCHEDULE OF BRIDGE QUANTITIES

ROADWAY STANDARD DRAWINGS

TITLE

DATE

DRWG. NO.

PM-1	PAVEMENT MARKING DETAILS	02-27-20
TC-1	STANDARD TRAFFIC CONTROLS FOR HIGHWAY CONSTRUCTION	11-07-19
TC-2	STANDARD TRAFFIC CONTROLS FOR HIGHWAY CONSTRUCTION	11-07-19
TC-3	STANDARD TRAFFIC CONTROLS FOR HIGHWAY CONSTRUCTION	02-27-20

JOB C76063

SHEET 3 OF 24

GOVERNING SPECIFICATIONS

ARKANSAS STATE HIGHWAY COMMISSION STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION,  
EDITION OF 2014, AND THE FOLLOWING SPECIAL PROVISIONS AND SUPPLEMENTAL SPECIFICATIONS.

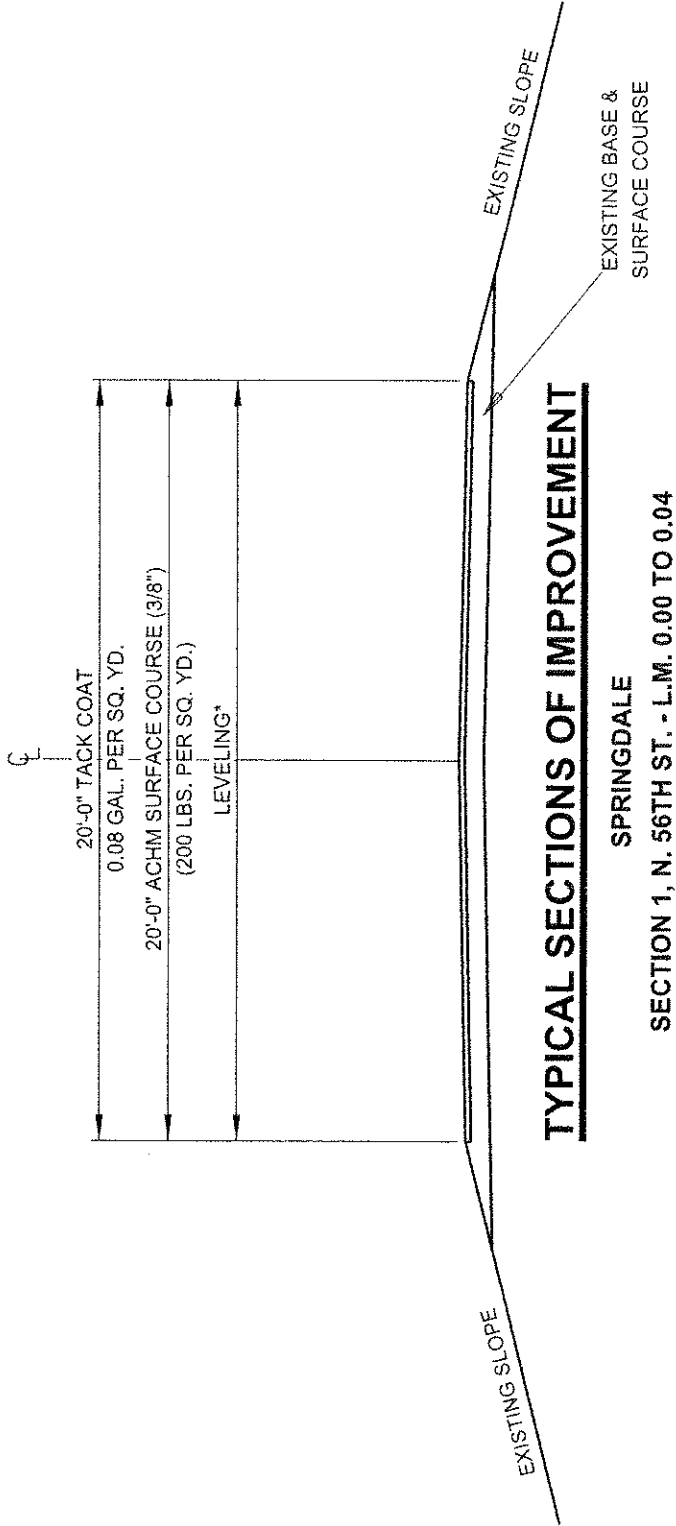
NUMBER	TITLE
ERRATA	ERRATA FOR THE BOOK OF STANDARD SPECIFICATIONS
100-3	CONTRACTOR'S LICENSE
100-4	DEPARTMENT NAME CHANGE
102-2	ISSUANCE OF PROPOSALS
108-1	LIQUIDATED DAMAGES
108-2	WORK ALLOWED PRIOR TO ISSUANCE OF WORK ORDER
306-1	QUALITY CONTROL AND ACCEPTANCE
400-1	TACK COATS
400-4	DESIGN AND QUALITY CONTROL OF ASPHALT MIXTURES
400-5	PERCENT AIR VOIDS FOR ACHM MIX DESIGNS
400-6	LIQUID ANTI-STRIP ADDITIVE
400-7	TRACKLESS TACK
404-3	DESIGN OF ASPHALT MIXTURES
410-1	CONSTRUCTION REQUIREMENTS AND ACCEPTANCE OF ASPHALT CONCRETE PLANT MIX COURSES
410-2	DEVICES FOR MEASURING DENSITY FOR ROLLING PATTERNS
604-1	RETROREFLECTIVE SHEETING FOR TRAFFIC CONTROL DEVICES IN CONSTRUCTION ZONES
604-3	TRAFFIC CONTROL DEVICES IN CONSTRUCTION ZONES (MASH)
JOB C76063	ADJUSTMENT OF QUANTITIES FOR STATE-AID STREET PROJECTS
JOB C76063	BIDDING REQUIREMENTS AND CONDITIONS
JOB C76063	BROADBAND INTERNET SERVICE FOR ASPHALT CONCRETE PLANT
JOB C76063	DENSITIES FOR ACHM SURFACE COURSE
JOB C76063	FLEXIBLE BEGINNING OF WORK (PAVEMENT PRESERVATION, CITY AID, AND STATE AID PROJECTS)
JOB C76063	MANDATORY ELECTRONIC CONTRACT
JOB C76063	MANDATORY ELECTRONIC DOCUMENT SUBMITTAL
JOB C76063	RECYCLED ASPHALT SHINGLES
JOB C76063	SUBMISSION OF ASPHALT CONCRETE HOT MIX ACCEPTANCE TEST RESULTS
JOB C76063	WARM MIX ASPHALT



**GENERAL NOTES**

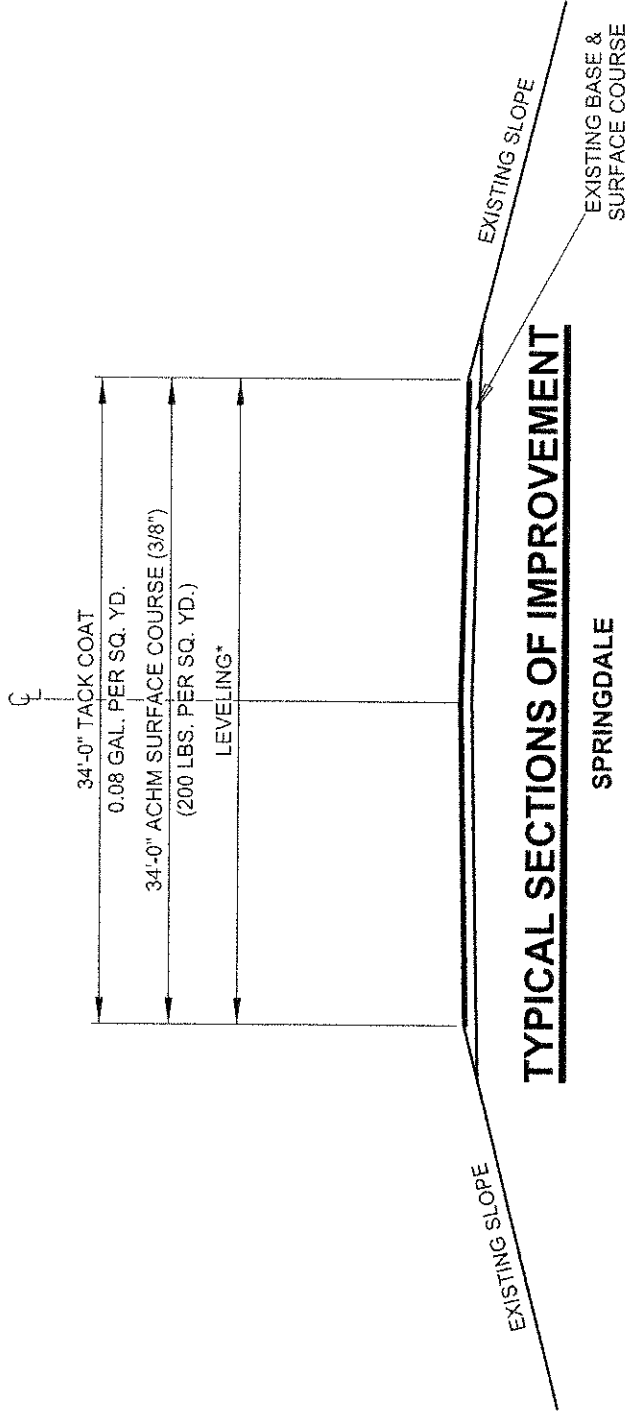
- 1. THE SEQUENCE AS SHOWN ON THE MAINTENANCE OF TRAFFIC PLANS IS A GENERAL OUTLINE FOR THE CONSTRUCTION OF THIS PROJECT, AND IN NO WAY IS IT INTENDED TO COVER EVERY ITEM IN THE PROJECT. ITEMS NOT CRITICAL TO THE CONSTRUCTION SEQUENCE MAY BE CONSTRUCTED IN ANY STAGE AS APPROVED BY THE RESIDENT ENGINEER.
- 2. SUPPLYING UTILITY RISERS AND INSTALLATION OF PERMANENT TRAFFIC SAFETY SIGNS NOT SHOWN IN THE PLANS IS THE RESPONSIBILITY OF THE CITY OF SPRINGDALE.
- 3. CONTRACTOR TO COORDINATE WITH THE CITY OF SPRINGDALE FOR THE ADJUSTMENT OF MANHOLES AND WATER VALVE COVERS.
- 4. THE CONTRACTOR SHALL CLIP GRASS AND DEBRIS FROM THE EDGE OF THE EXISTING ROADWAY. THESE "CLIPPINGS" SHALL BE PULLED UP TO THE EDGE OF THE NEW PAVEMENT. NO DIRECT PAYMENT WILL BE MADE FOR THIS WORK.

NOTE: DETAILS MAY BE MODIFIED TO MEET LOCAL  
CONDITIONS AS DIRECTED BY THE ENGINEER.



\* LOCATION AND APPLICATION RATES  
ARE AT THE DIRECTION OF THE  
ENGINEER. SEE QUANTITY SHEET FOR  
ESTIMATED AMOUNTS.

NOTE: DETAILS MAY BE MODIFIED TO MEET LOCAL  
CONDITIONS AS DIRECTED BY THE ENGINEER.



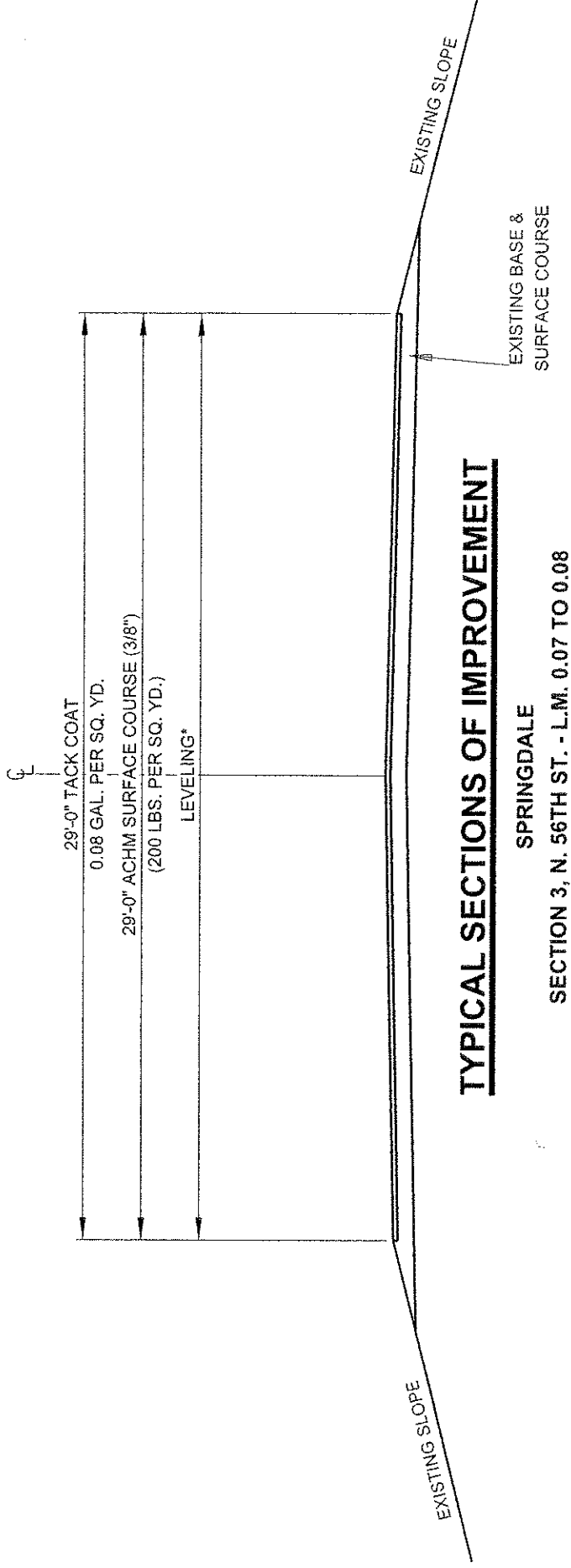
## **TYPICAL SECTIONS OF IMPROVEMENT**

SPRINGDALE

SECTION 2, N. 56TH ST. - L.M. 0.04 TO 0.06

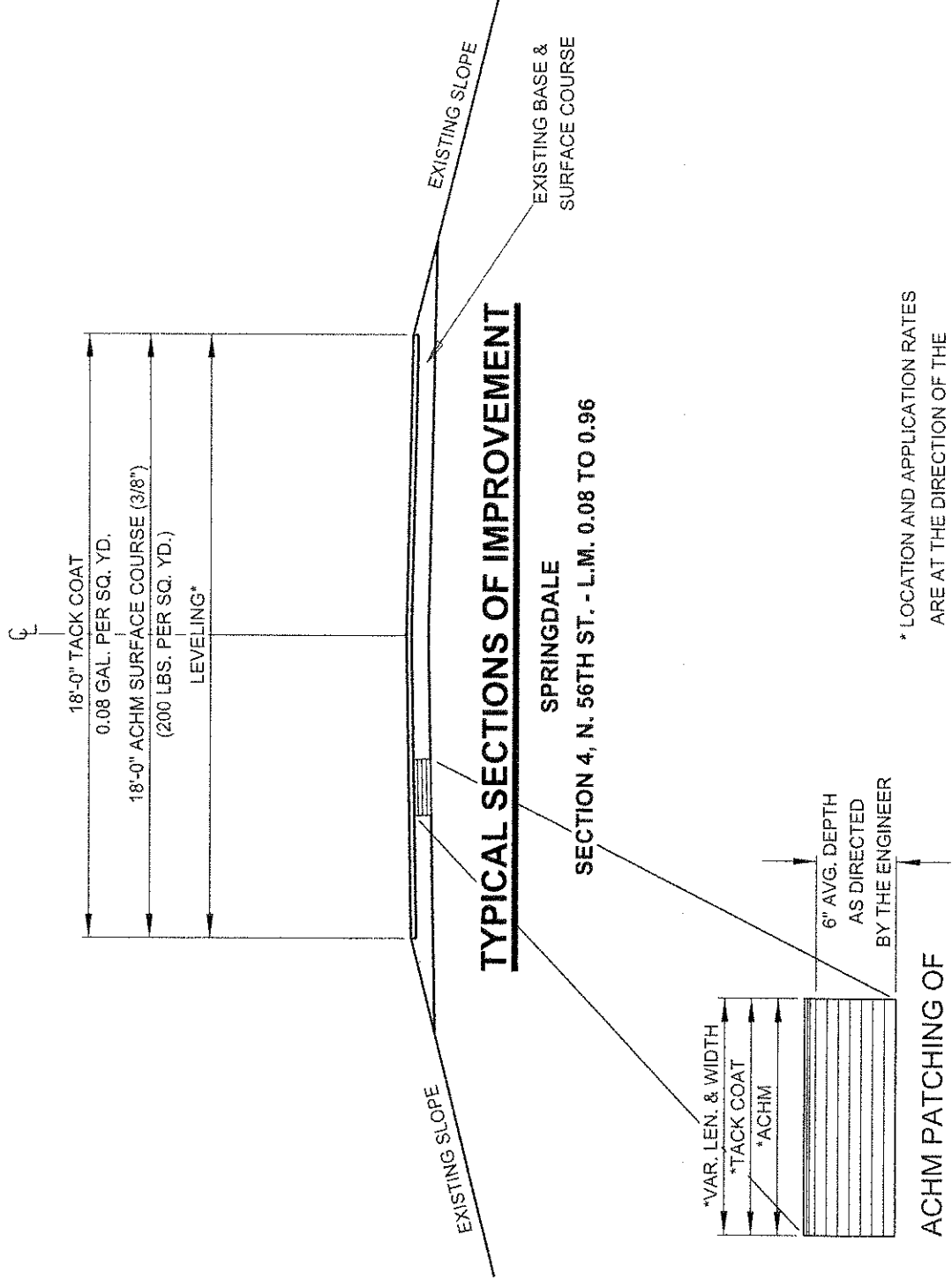
\* LOCATION AND  
APPLICATION RATES  
ARE AT THE  
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ENGINEER. SEE  
QUANTITY SHEET FOR  
ESTIMATED AMOUNTS.

NOTE: DETAILS MAY BE MODIFIED TO MEET LOCAL  
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\* LOCATION AND APPLICATION RATES  
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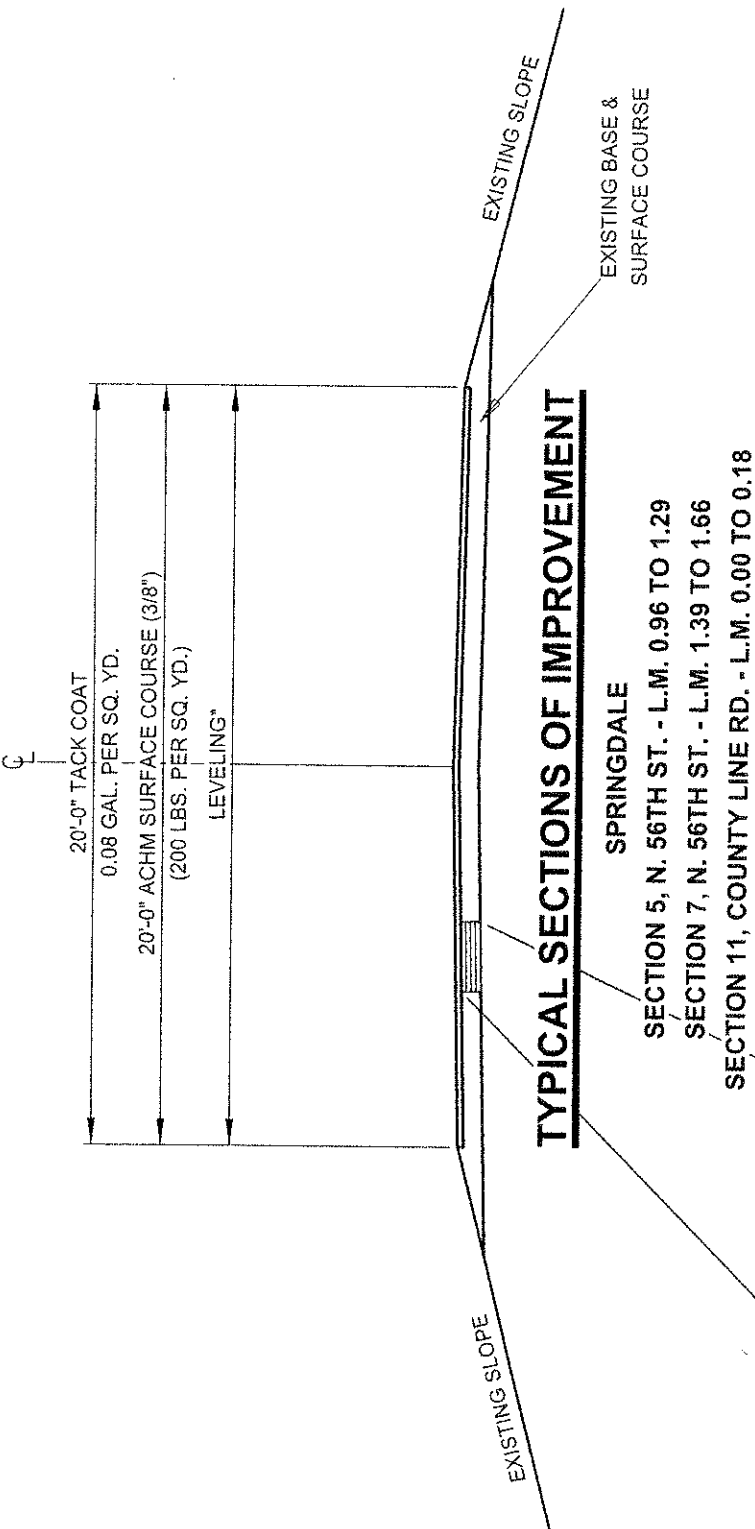
NOTE: DETAILS MAY BE MODIFIED TO MEET LOCAL  
CONDITIONS AS DIRECTED BY THE ENGINEER.



\* LOCATION AND APPLICATION RATES  
ARE AT THE DIRECTION OF THE  
ENGINEER. SEE QUANTITY SHEET FOR  
ESTIMATED AMOUNTS.

**ACHM PATCHING OF  
EXISTING ROADWAY**  
PAY ITEMS AND CONSTRUCTION  
REQUIREMENTS ARE AS DEFINED  
IN SECTION 415 OF THE STANDARD  
SPECIFICATIONS FOR HIGHWAY  
CONSTRUCTION.

NOTE: DETAILS MAY BE MODIFIED TO MEET LOCAL  
CONDITIONS AS DIRECTED BY THE ENGINEER.



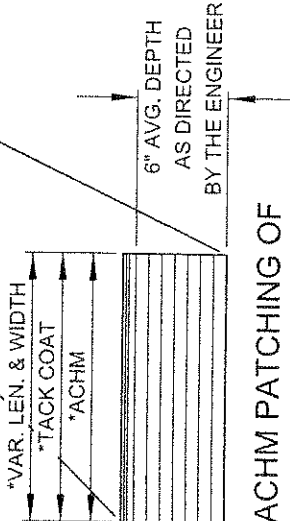
### TYPICAL SECTIONS OF IMPROVEMENT

SPRINGDALE

SECTION 5, N. 56TH ST. - L.M. 0.96 TO 1.29

SECTION 7, N. 56TH ST. - L.M. 1.39 TO 1.66

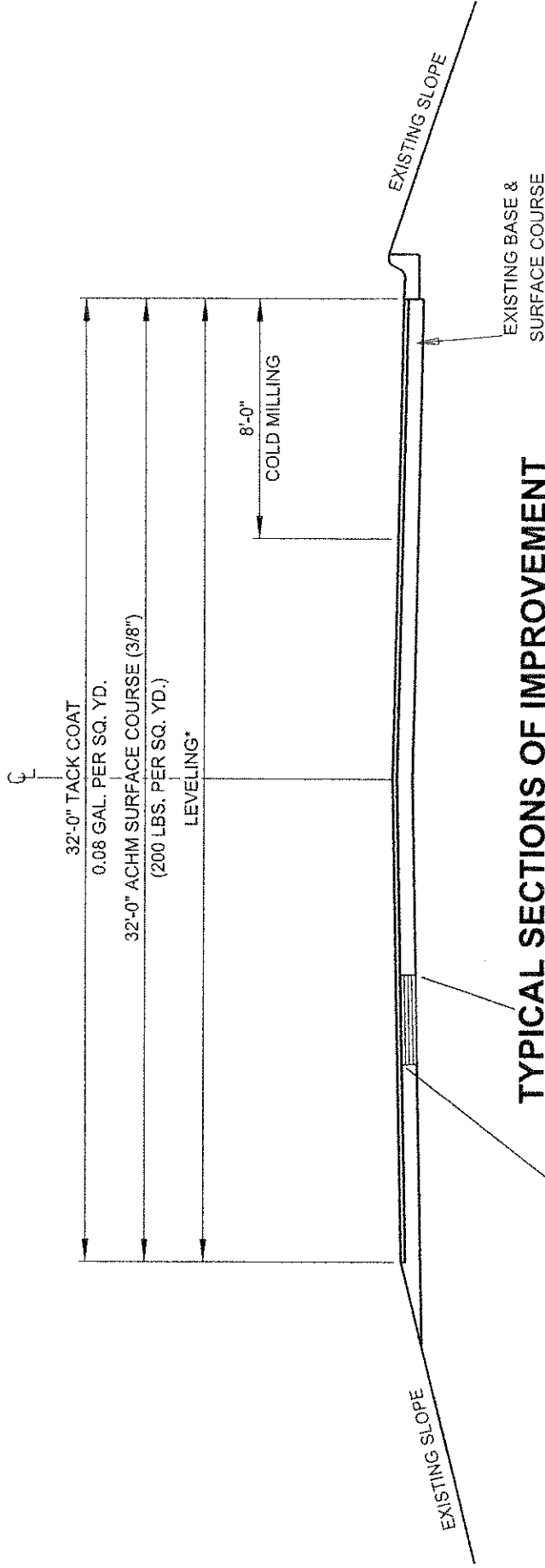
SECTION 11, COUNTY LINE RD. - L.M. 0.00 TO 0.18



**ACHM PATCHING OF  
EXISTING ROADWAY**  
PAY ITEMS AND CONSTRUCTION  
REQUIREMENTS ARE AS DEFINED  
IN SECTION 415 OF THE STANDARD  
SPECIFICATIONS FOR HIGHWAY  
CONSTRUCTION.

\* LOCATION AND APPLICATION RATES  
ARE AT THE DIRECTION OF THE  
ENGINEER. SEE QUANTITY SHEET FOR  
ESTIMATED AMOUNTS.

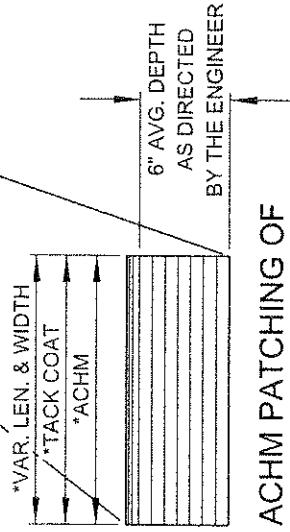
NOTE: DETAILS MAY BE MODIFIED TO MEET LOCAL  
CONDITIONS AS DIRECTED BY THE ENGINEER.



## TYPICAL SECTIONS OF IMPROVEMENT

SPRINGDALE

SECTION 6, N. 56TH ST. - L.M. 1.29 TO 1.39



### ACHM PATCHING OF EXISTING ROADWAY

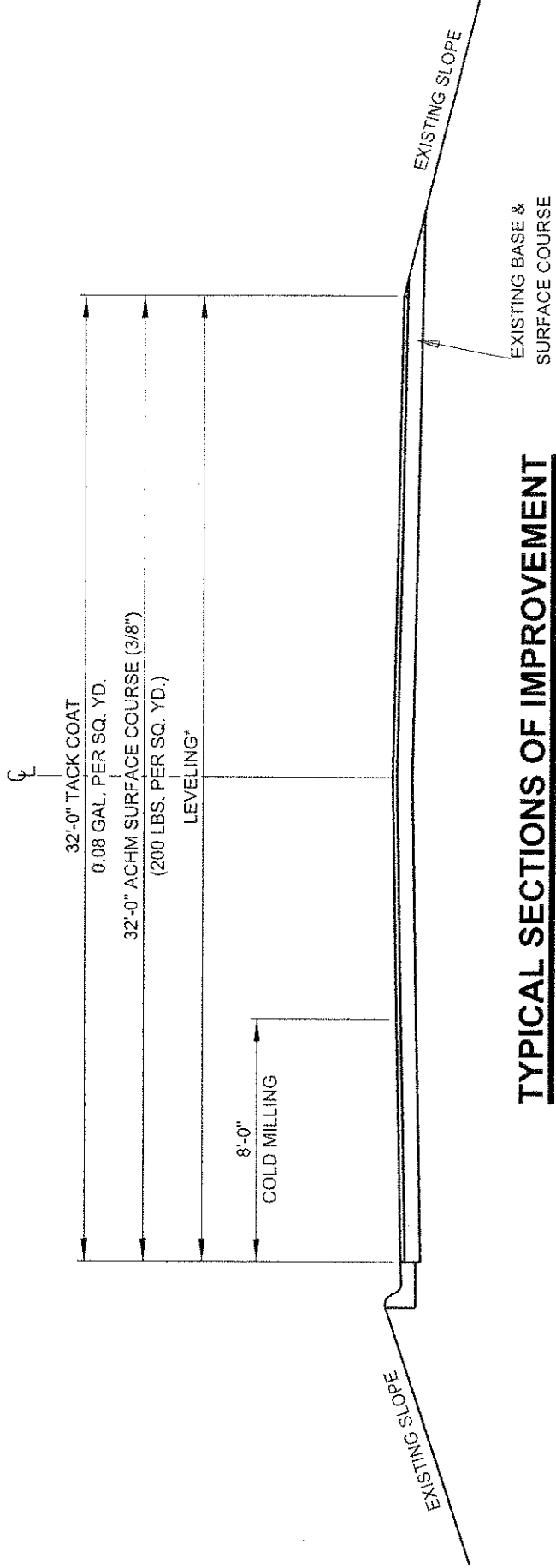
PAY ITEMS AND CONSTRUCTION  
REQUIREMENTS ARE AS DEFINED  
IN SECTION 415 OF THE STANDARD  
SPECIFICATIONS FOR HIGHWAY  
CONSTRUCTION.

\* LOCATION AND APPLICATION  
RATES ARE AT THE DIRECTION OF THE  
ENGINEER. SEE QUANTITY SHEET FOR  
ESTIMATED AMOUNTS.

JOB C76063

SHEET 11 OF 24

NOTE: DETAILS MAY BE MODIFIED TO MEET LOCAL  
CONDITIONS AS DIRECTED BY THE ENGINEER.



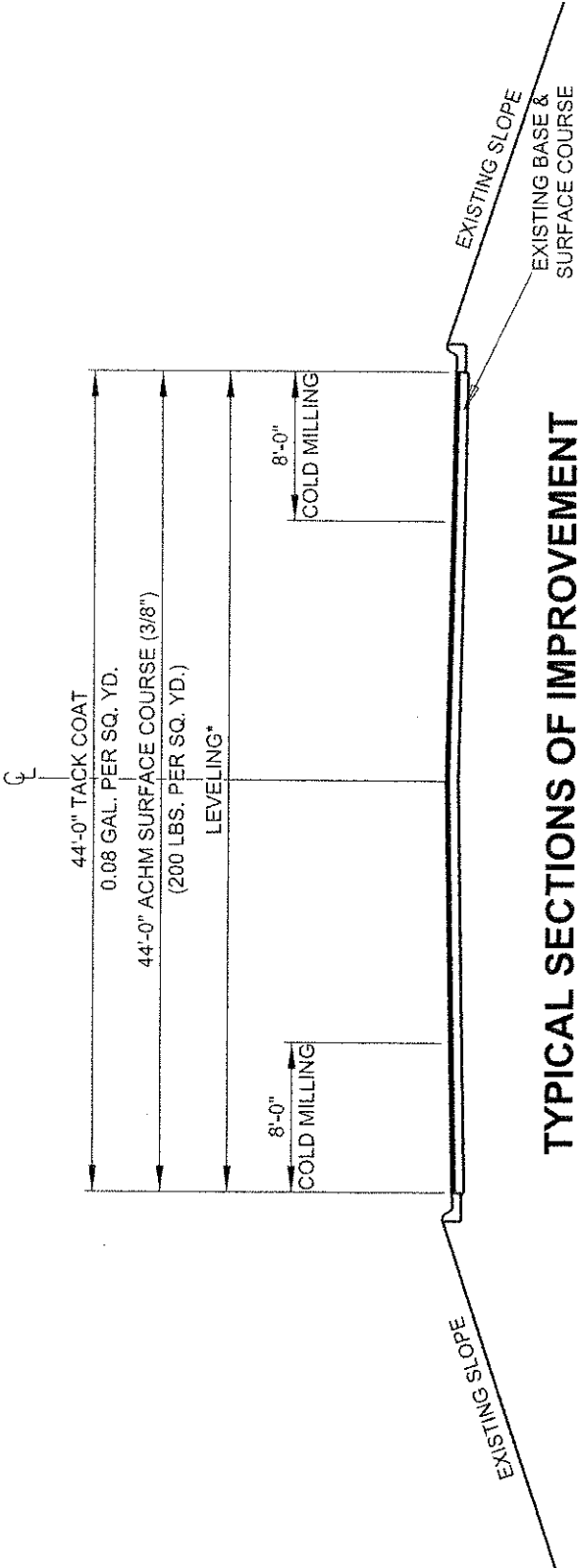
## TYPICAL SECTIONS OF IMPROVEMENT

SPRINGDALE  
SECTION 8, N. 56TH ST. - L.M. 1.66 TO 1.68

\* LOCATION AND APPLICATION  
RATES ARE AT THE DIRECTION OF THE  
ENGINEER. SEE QUANTITY SHEET FOR  
ESTIMATED AMOUNTS.



NOTE: DETAILS MAY BE MODIFIED TO MEET LOCAL  
CONDITIONS AS DIRECTED BY THE ENGINEER.



## TYPICAL SECTIONS OF IMPROVEMENT

SPRINGDALE

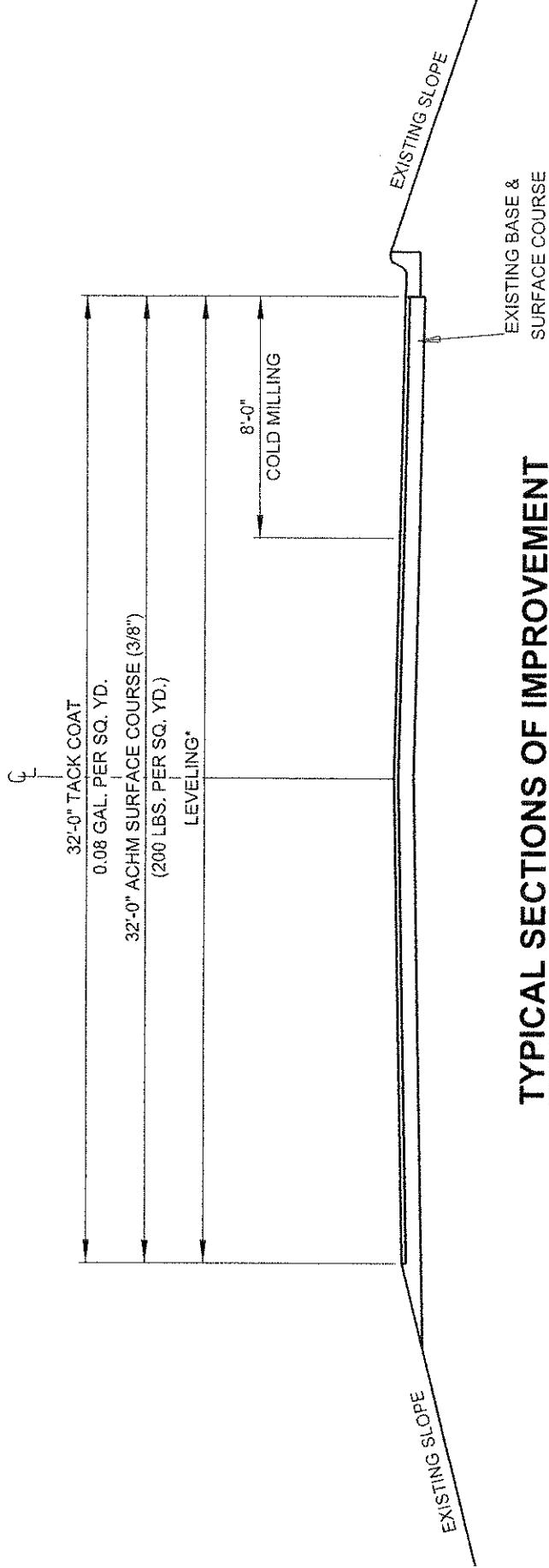
SECTION 9, N. 56TH ST. - L.M. 1.68 TO 1.71

\* LOCATION AND  
APPLICATION RATES  
ARE AT THE  
DIRECTION OF THE  
ENGINEER. SEE  
QUANTITY SHEET FOR  
ESTIMATED AMOUNTS.

JOB C76063

SHEET 13 OF 24

NOTE: DETAILS MAY BE MODIFIED TO MEET LOCAL  
CONDITIONS AS DIRECTED BY THE ENGINEER.

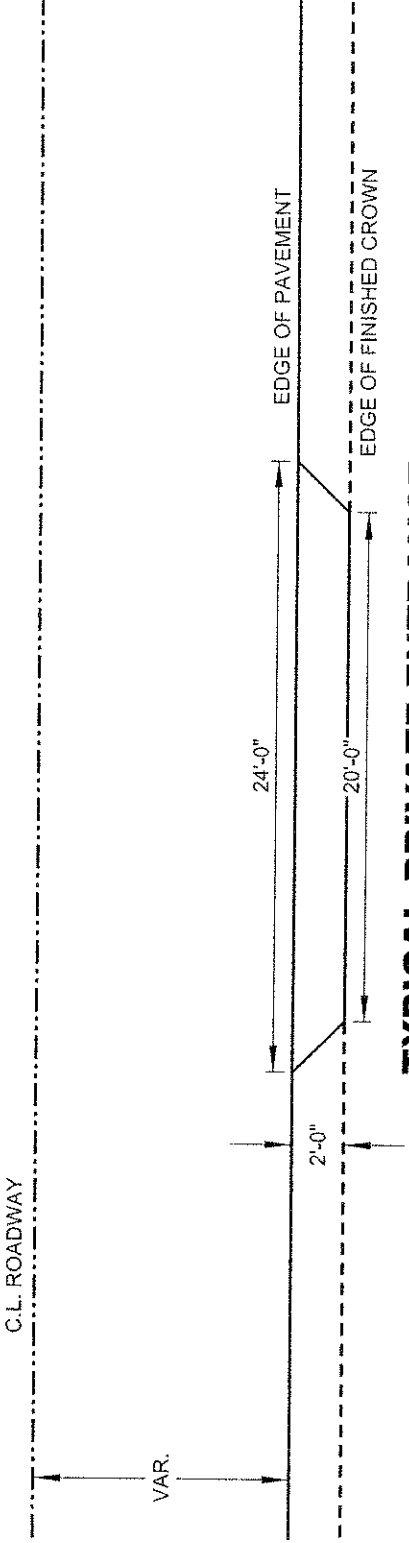


**TYPICAL SECTIONS OF IMPROVEMENT**

SPRINGDALE

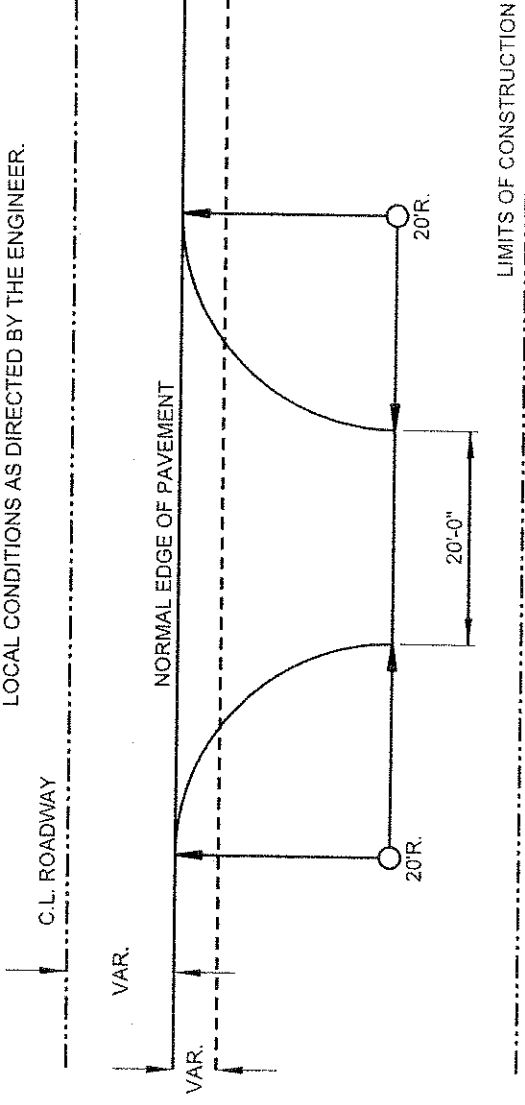
SECTION 10, N. 56TH ST. - L.M. 1.71 TO 1.82

\* LOCATION AND APPLICATION  
RATES ARE AT THE DIRECTION OF THE  
ENGINEER. SEE QUANTITY SHEET FOR  
ESTIMATED AMOUNTS.



**TYPICAL PRIVATE ENTRANCE**  
**ADDITIONAL SURFACING AREA = 4.9 SQ. YDS.**

NOTE: DIMENSIONS MAY BE MODIFIED TO MEET  
 LOCAL CONDITIONS AS DIRECTED BY THE ENGINEER.



**TYPICAL CITY TURNOUT**  
**ADDITIONAL SURFACING AREA = 63.5 SQ. YDS.**

FINAL SURFACE

200 LBS. PER SQ. YD. ACHM

FINAL SURFACE

EXISTING SURFACE

EXISTING SURFACE

200 LBS. PER SQ. YD. ACHM

MILLED SURFACE

OVERLAY SECTION

MILLING SECTION - 50' TAPER 0" TO 1.82"

BEGIN SECTION  
END SECTION  
BRIDGE ENDS

PROFILE VIEW

NOT TO SCALE

## PAVEMENT TRANSITION DETAILS FOR COLD MILLING AT SECTION ENDS AND BRIDGE ENDS

SECTIONS 1, 2, 3, & 10

### LOCATIONS

L.M. 0.00 TO 0.01, SECTION 1  
L.M. 0.05 TO 0.06, SECTION 2  
L.M. 0.07 TO 0.08, SECTION 3  
L.M. 1.81 TO 1.82, SECTION 10

NOTE: DIMENSIONS ARE APPROXIMATED AND MAY BE  
MODIFIED AS DIRECTED BY THE ENGINEER.

NOTE: FOR COLD MILLING ASPHALT PAVEMENT  
TRANSITION, TAPER 50' OF FINAL SURFACE  
TO CREATE A 1.82" PAVING NOTCH, AT  
VARIOUS LOCATIONS, AS SHOWN ABOVE.  
OVERLAY MILLED AREAS USING 200 LBS.  
PER SQ. YD. OF ACHM.

NOTE: MATERIAL PRODUCED FROM COLD MILLING  
ASPHALT PAVEMENT SHALL REMAIN THE  
PROPERTY OF THE CONTRACTOR.

**FINAL SURFACE**

**FINAL SURFACE**

**EXISTING SURFACE**

**EXISTING SURFACE**

**MILLED SURFACE**

**VARIABLE**

**200 LBS. PER SQ. YD. ACHM**

**200 LBS. PER SQ. YD. ACHM**

**MILLING SECTION - 8' TAPER 0" TO 1.82"**

**PROFILE VIEW**

**NOT TO SCALE**

**PAVEMENT TRANSITION  
DETAILS FOR COLD MILLING  
ALONG SECTIONS WITH CURB AND GUTTER ELEVATION**

**SECTION 6, 8, 9, AND 10**

**LOCATION**

**SECTION 6 - LOG MILE 1.29 TO 1.39 ON RIGHT**

**SECTION 8 - LOG MILE 1.66 TO 1.68 ON LEFT**

**SECTION 9 - LOG MILE 1.68 TO 1.71 ON LEFT AND RIGHT**

**SECTION 10 - LOG MILE 1.71 TO 1.82 ON RIGHT**

**1.82"**

**FINAL SURFACE SHALL  
BE FLUSH WITH**

**NOTE: TAPER 7.3' OF MILLED SURFACE TO CREATE  
A 1.82" PAVING NOTCH, AT VARIOUS  
SECTIONS ADJACENT TO CURB AND  
GUTTER, AS SHOWN ABOVE. OVERLAY  
MILLED AREAS USING 200 LBS. PER SQ. YD.  
OF ACHM.**

**NOTE: MATERIAL PRODUCED FROM COLD MILLING  
ASPHALT PAVEMENT SHALL REMAIN THE  
PROPERTY OF THE CONTRACTOR.**

**JOB C76063**

**SHEET 17 OF 24**



COLD MILLING ASPHALT PAVEMENT

DESCRIPTION	LOG MILE		LENGTH	COLD MILLING ASPHALT PAVEMENT	
	FROM	TO		WIDTH	SQ. YD.
SECTION 1 - N. 56TH ST.					
BEGIN SECTION	0.00	0.01	50	20.00	111.1
SECTION 2 - N. 56TH ST.					
BRIDGE END	0.05	0.06	50	34.00	188.9
SECTION 3 - N. 56TH ST.					
BRIDGE END	0.07	0.08	50	29.00	161.1
SECTION 6 - N. 56TH ST.					
ENTIRE SECTION - 8' ON RIGHT	1.29	1.39	528	8.0	469.3
SECTION 8 - N. 56TH ST.					
ENTIRE SECTION - 8' ON LEFT	1.66	1.68	106	8.0	94.2
SECTION 9 - N. 56TH ST.					
ENTIRE SECTION - 8' ON LEFT & RIGHT	1.68	1.71	158	16.0	280.9
SECTION 10 - N. 56TH ST.					
ENTIRE SECTION - 8' ON RIGHT	1.71	1.82	581	8.0	516.4
END SECTION	1.81	1.82	50	32.00	177.8
TOTAL:					1999.7

USE:

2000







SURFACING (BOX 1 OF 2)

LOCATION	LOG MILE		LENGTH	TACK COAT				ACHM SURFACE COURSE (3/8")*			
	FROM	TO		LIN. FT.	WIDTH	SQ. YD.	GAL.	WIDTH	SQ. YD.	TON	
SECTION 1 - N. 56TH ST.											
MAIN LANES	0.00	0.04	211	20.00	468.9	37.5	20.00	468.9	46.9		
LEVELING						7.5			5.0		
SECTION 2 - N. 56TH ST.											
MAIN LANES	0.04	0.06	106	34.00	400.4	32.0	34.00	400.4	40.0		
LEVELING						7.5			5.0		
SECTION 3 - N. 56TH ST.											
MAIN LANES	0.07	0.08	53	29.00	170.8	13.7	29.00	170.8	17.1		
LEVELING						7.5			5.0		
SECTION 4 - N. 56TH ST.											
MAIN LANES	0.08	0.96	4646	18.00	9292.0	743.4	18.00	9292.0	929.2		
30 PRIVATE ENTRANCES					147.0	11.8		147.0	14.7		
3 CITY STREET TURNOUTS					190.5	15.2		190.5	19.1		
LEVELING						210.0			140.0		
SECTION 5 - N. 56TH ST.											
MAIN LANES	0.96	1.29	1742	20.00	3871.1	309.7	20.00	3871.1	387.1		
10 PRIVATE ENTRANCES					49.0	3.9		49.0	4.9		
LEVELING						90.0			60.0		
SECTION 6 - N. 56TH ST.											
MAIN LANES	1.29	1.39	528	32.00	1877.3	150.2	32.00	1877.3	187.7		
2 PRIVATE ENTRANCES					9.8	0.8		9.8	1.0		
1 CITY STREET TURNOUT					63.5	5.1		63.5	6.4		
LEVELING						45.0			30.0		
SUBTOTALS (BOX 1 OF 2):						1690.8			1899.1		

BASIS OF ESTIMATE:  
TACK COAT \_\_\_\_\_ 0.08 GAL. PER SQ. YD.  
ACHM SURFACE COURSE (3/8") \_\_\_\_\_ 200 POUND PER SQ. YD.

\*Nmax=115

VOLUME CONTROL:  
ASPHALT BINDER (PG 64-22) IN ACHM SURFACE COURSE (3/8") \_\_\_\_\_ 6.0%  
MINERAL AGGREGATE IN ACHM SURFACE COURSE (3/8") \_\_\_\_\_ 94.0%

SURFACING (BOX 2 OF 2)

LOCATION	LOG MILE		LENGTH	TACK COAT				ACHM SURFACE COURSE (3/8")*			
	FROM	TO		LIN. FT.	WIDTH	SQ. YD.	GAL.	WIDTH	SQ. YD.	TON	
SECTION 7 - N. 56TH ST.											
MAIN LANES	1.39	1.66	1426	20.00		3168.9	253.5	20.00	3168.9	316.9	
12 PRIVATE ENTRANCES						58.8	4.7		58.8	5.9	
1 CITY STREET TURNOUT						63.5	5.1		63.5	6.4	
LEVELING							75.0			50.0	
SECTION 8 - N. 56TH ST.											
MAIN LANES	1.66	1.68	106	32.00		376.9	30.2	32.00	376.9	37.7	
1 PRIVATE ENTRANCE						4.9	0.4		4.9	0.5	
LEVELING							7.5			5.0	
SECTION 9 - N. 56TH ST.											
MAIN LANES	1.68	1.71	158	44.00		772.4	61.8	44.00	772.4	77.2	
1 CITY STREET TURNOUT						63.5	5.1		63.5	6.4	
LEVELING							15.0			10.0	
SECTION 10 - N. 56TH ST.											
MAIN LANES	1.71	1.82	581	32.00		2065.8	165.3	32.00	2065.8	206.6	
1 PRIVATE ENTRANCE						4.9	0.4		4.9	0.5	
1 CITY STREET TURNOUT						63.5	5.1		63.5	6.4	
LEVELING							45.0			30.0	
SECTION 11 - COUNTY LINE RD.											
MAIN LANES	0.00	0.18	950	20.00		2111.1	168.9	20.00	2111.1	211.1	
4 PRIVATE ENTRANCES						19.6	1.6		19.6	2.0	
LEVELING							45.0			30.0	
SUBTOTALS (BOX 2 OF 2):							889.6			1002.6	
TOTALS:							2580.4			2901.7	

USE: 2580 2902

BASIS OF ESTIMATE:

TACK COAT 0.08 GAL. PER SQ. YD.

ACHM SURFACE COURSE (3/8") 200 POUND PER SQ. YD.

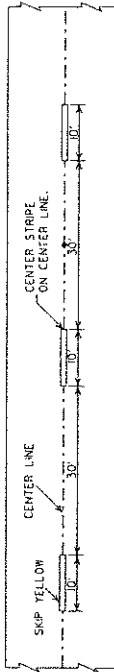
\*Nmax=115

VOLUME CONTROL:

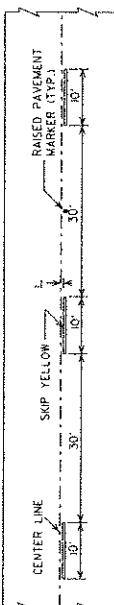
ASPHALT BINDER (PG 64-22) IN ACHM SURFACE COURSE (3/8") 6.0%

MINERAL AGGREGATE IN ACHM SURFACE COURSE (3/8") 94.0%

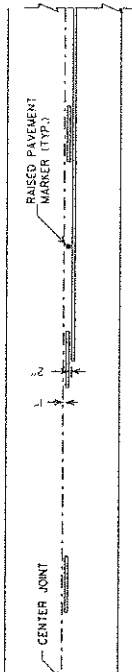
NOTES:  
1. REFER TO THE STRIPING DETAILS FOR PAVEMENT MARKING LINE MOTIFS.  
2. THIS DRAWING SHALL BE USED IN CONJUNCTION WITH THE LATEST REVISED ADDITION OF THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES."  
3. RAISED PAVEMENT MARKERS SHALL BE PLACED ON AN 80 FEET SPACING UNLESS OTHERWISE SHOWN IN THE PLANS.



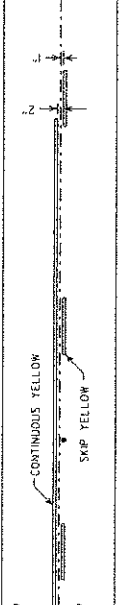
ASPHALT PAVEMENT



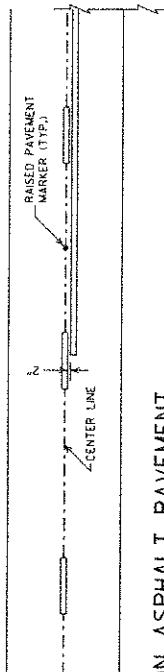
CONCRETE PAVEMENT



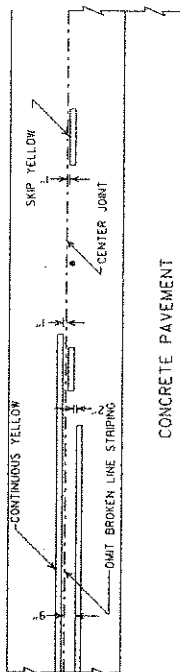
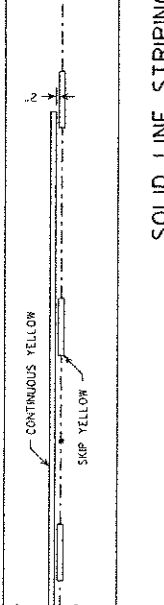
BROKEN LINE STRIPING



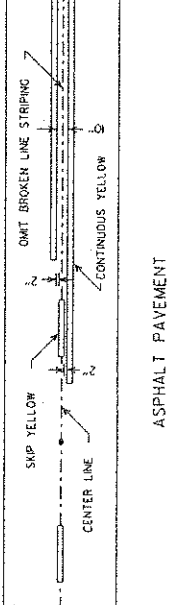
SOLID LINE STRIPING ON CONCRETE PAVEMENT



SOLID LINE STRIPING ON ASPHALT PAVEMENT

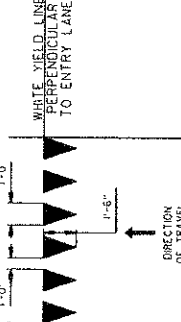
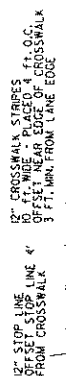


CONCRETE PAVEMENT



ASPHALT PAVEMENT

STRIPING AT ADJACENT NO PASSING LANES



YIELD LINE DETAIL

CROSSWALK AND STOP LINE DETAILS

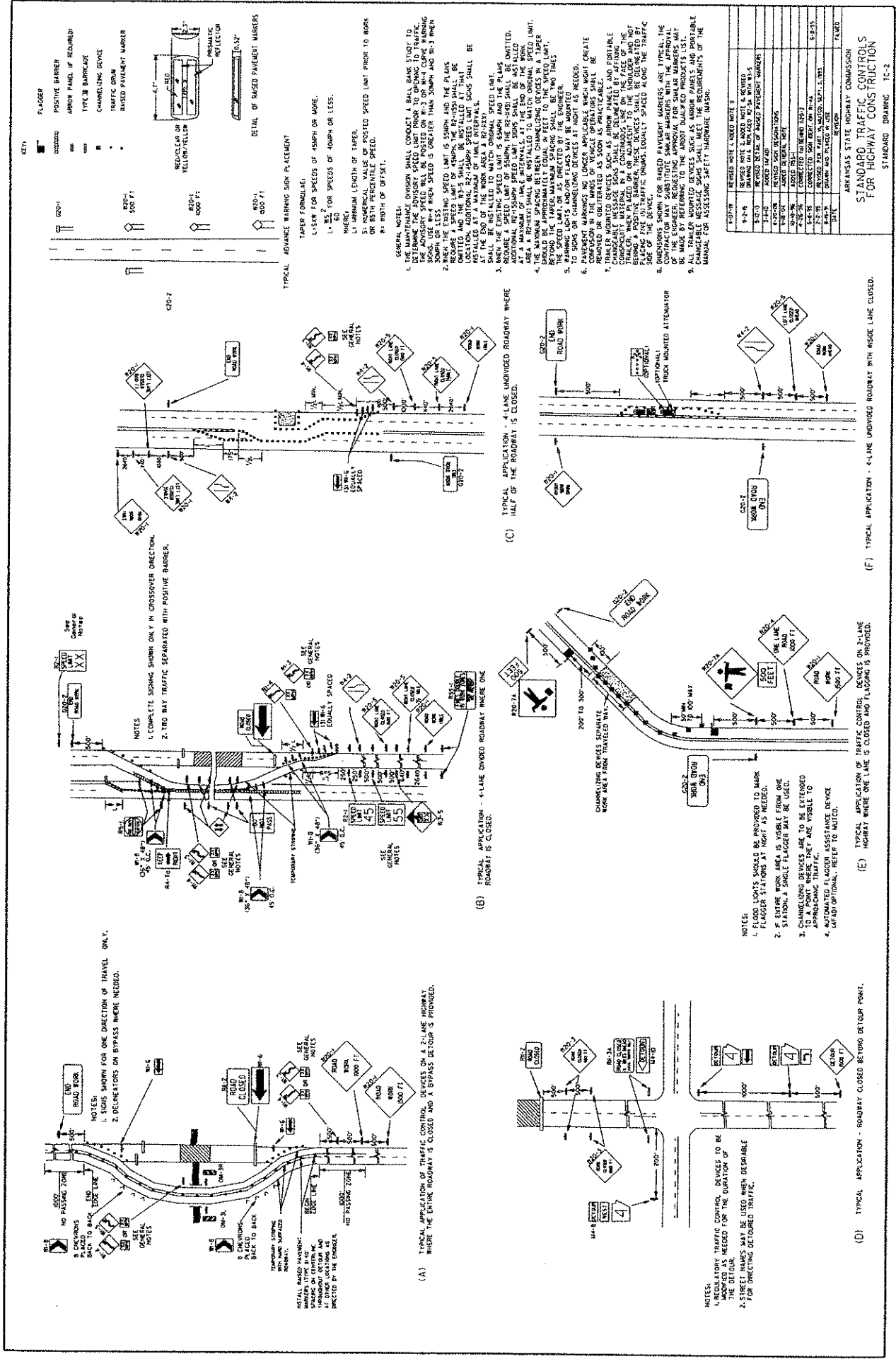
DATE	REVISION	BY	CHKD
2-27-70	REVISED STOP LINE DETAILS	BCH	
5-17-71	ADDED YIELD LINE DETAIL	BCH	
5-12-76	REVISED LINE MOTIF SPACING & NOTES	BCH	
9-12-13	REVISED DETAIL OF STANDARD CROSSWALK	BCH	
11-7-10	REVISED GENERAL NOTES & REMOVED DIMENSIONAL PAVT MARKS	BCH	
11-18-04	REVISED NOTE 2 & GENERAL NOTES	BCH	
8-27-02	ADDED CROSSWALK & REMOVED NOTES	BCH	
7-02-98	ADDED DETAILS OF STOP LINE	BCH	
6-28-96	REVISED PAVT MARKS	BCH	
6-28-96	REVISED NOTES "30' ADDD R.P.M."	BCH	
DATE	BY	CHKD	FILED

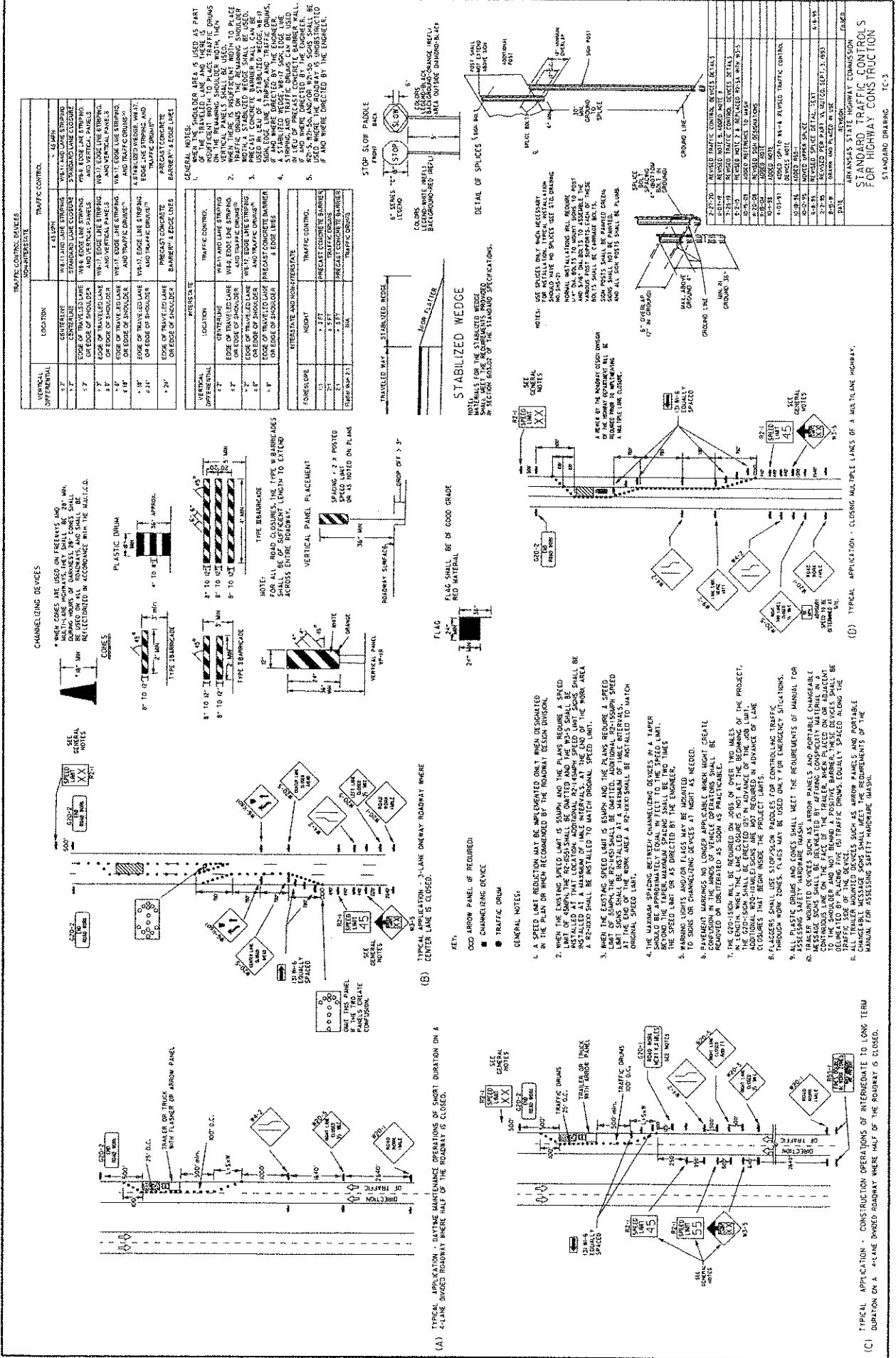
ARKANSAS STATE HIGHWAY COMMISSION

PAVEMENT MARKING DETAILS

STANDARD DRAWING PM-1







RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE PURCHASE OF  
TWO TRACTS OF PROPERTY LOCATED ON DOWNUM  
ROAD, SPRINGDALE, BENTON COUNTY, ARKANSAS.**

**WHEREAS**, James Beavers and Priscilla Beavers currently owns two tracts of property located on Downum Road, Springdale, Benton County, Arkansas, Parcel Number 21-00167-504 and Parcel No. 21-00167-542, ("the Property"), and more particularly described as follows:

A PART OF THE SE1/4 OF THE NW1/4 AND A PART OF THE NE1/4 OF THE SW1/4 OF SECTION 20, TOWNSHIP 18 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT AN EXISTING REBAR WHICH IS S86°02'31"E 117.23 FEET FROM THE SW CORNER OF SAID SE1/4 OF THE NW1/4 AND RUNNING THENCE N02°04'35"E 214.01 FEET TO AN EXISTING REBAR, THENCE S86°25'20"E 211.13 FEET TO AN EXISTING REBAR, THENCE S02°20'47"W 436.72 FEET TO AN EXISTING REBAR, THENCE N86°34'54"W 198.00 FEET, THENCE N02°39'16"E 223.18 FEET TO AN EXISTING REBAR, THENCE N86°02'31 "W 13.31 FEET TO THE POINT OF BEGINNING, CONTAINING 2.04 ACRES, MORE OR LESS.

**WHEREAS**, the owner has agreed to sell the Property to the City of Springdale for the total sum of \$139,900.00;

**WHEREAS**, the City wishes to purchase the Property upon the receipt of an appraisal showing the value of the Property to be at least \$139,900.00.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS** that the Mayor is hereby authorized, upon receipt of an appraisal of the Property showing the value of the Property to be at least \$139,900.00, to execute all documents necessary for the acquisition of the Property in the amount of \$139,900.00, plus associated closing costs, to be paid from the City's General funds.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Doug Sprouse, Mayor

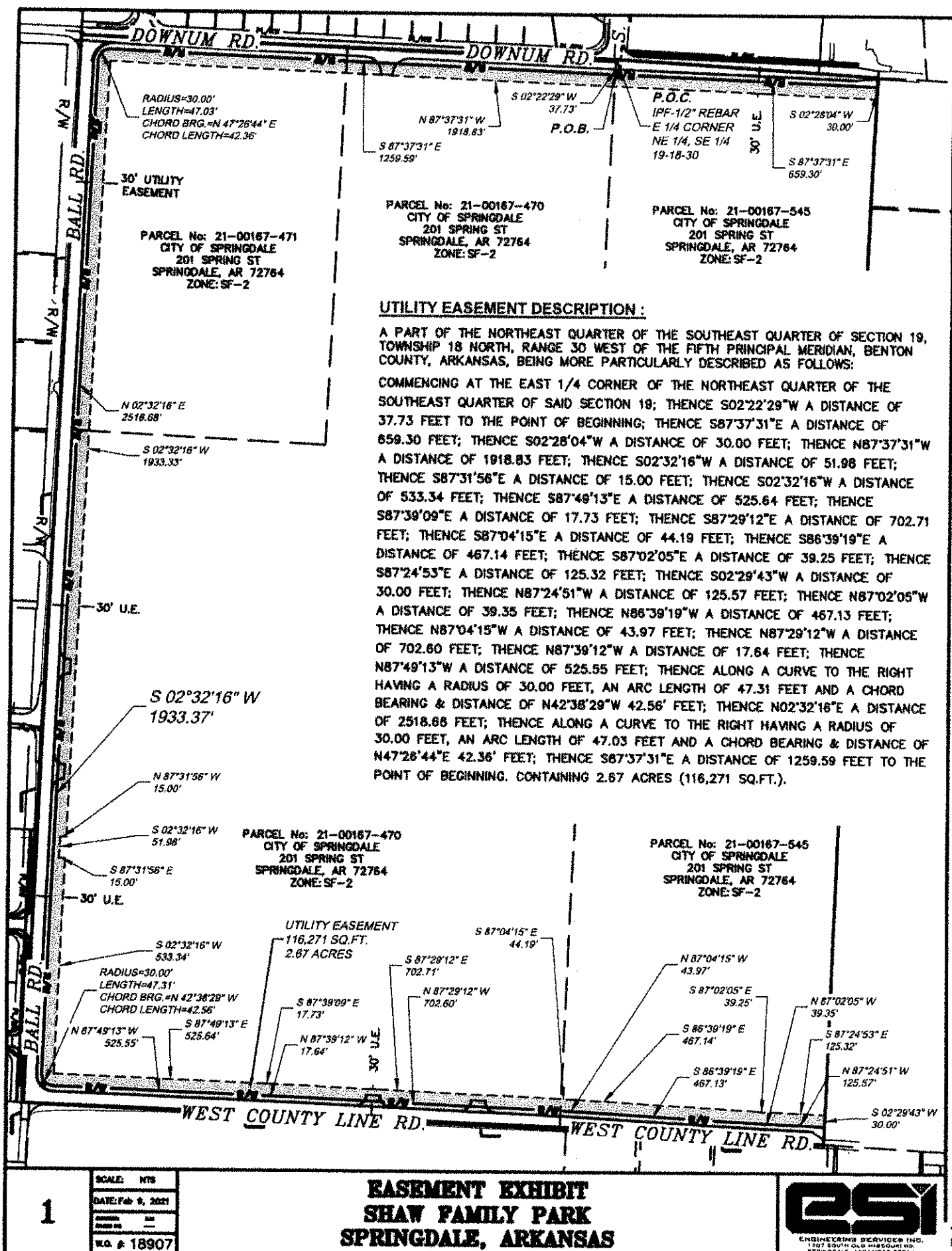
ATTEST:

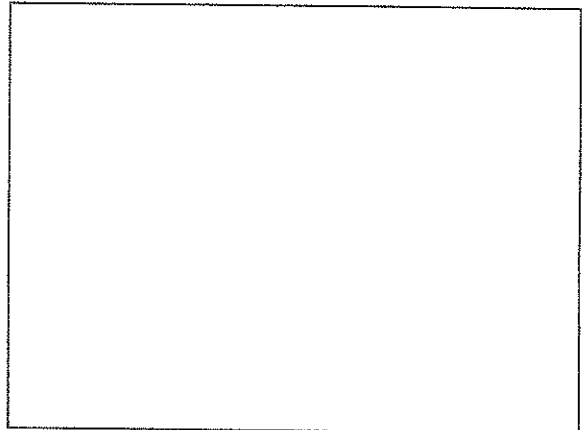
\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, City Attorney







ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM GENERAL COMMERCIAL DISTRICT (C-2) TO THOROUGHFARE COMMERCIAL DISTRICT (C-5) AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of February 2, 2021 for hearing the matter of a petition of Merry Lee Phillips Trust, requesting that the following described tract of real estate to be zoned from General Commercial District (C-2) to Thoroughfare Commercial District (C-5).

**Layman's Description: 408 North Thompson Street**

**Legal Description:** PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 18 NORTH, RANGE 30 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WASHINGTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT BEING THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 2, TOWNSHIP 17 NORTH, RANGE 30 WEST, SAID POINT BEING A FOUND 3" ALUMINUM MONUMENT; THENCE N03°56'51"E A DISTANCE OF 30.50 FEET TO THE POINT OF BEGINNING, SAID POINT BEING A FOUND CHISELED "X" LOCATED ON THE WEST RIGHT-OF-WAY LINE OF SOUTH THOMPSON AVENUE (a.k.a. U.S. HIGHWAY 71B); THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING TWO CALLS, N86°05'11"W A DISTANCE OF 15.00 FEET TO A FOUND CHISELED "X"; THENCE S03°56'51"W A DISTANCE OF 10.60 FEET TO A FOUND CHISELED "X", SAID POINT BEING ON THE NORTHERN RIGHT-OF-WAY LINE OF MAPLE AVENUE; THENCE ALONG SAID NORTHERN RIGHT-OF-WAY, N86°43'33"W A DISTANCE OF 220.68 FEET TO A FOUND CHISELED "X"; THENCE LEAVING SAID NORTHERN RIGHT-OF-WAY, N02°26'47"E A DISTANCE OF 95.07 FEET TO A FOUND CHISELED "X"; THENCE S86°39'19"E A DISTANCE OF 238.17 FEET TO THE WESTERN RIGHT-OF-WAY LINE OF SOUTH THOMPSON AVENUE,

SAID POINT BEING A FOUND 5/8" IRON PIN; THENCE ALONG SAID RIGHT-OF-WAY, S03°56'51"W A DISTANCE OF 84.34 FEET TO THE POINT OF BEGINNING. CONTAINING 0.51 ACRES – 22,333 SQ.FT., MORE OR LESS. SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY AND RESTRICTIVE COVENANTS OF RECORD OR FACT.

**AND WHEREAS**, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from General Commercial District (C-2) to Thoroughfare Commercial District (C-5) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS:**

**SECTION 1:** That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

From General Commercial District (C-2) to Thoroughfare Commercial District (C-5).

**SECTION 2:** That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

**SECTION 3: EMERGENCY CLAUSE:** It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas shall be in effect immediately upon its passage and approval.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021**

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

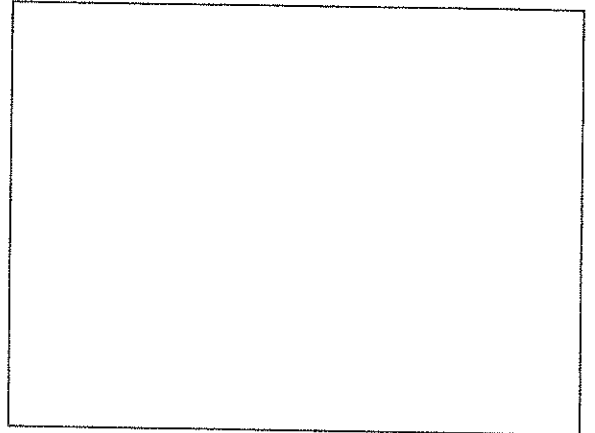
APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest Cate, City Attorney



FILE NO. R21-03  
APPLICANT: Merry Lee Phillips  
REQUEST: Rezone parcels from C-2 to C-5

PLANNING COMMISSION MEETING  
February 2, 2021



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (SF-3) AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of February 2, 2021 for hearing the matter of a petition of Chancad, LLC (Brian Moore), requesting that the following described tract of real estate to be zoned from Agricultural District (A-1) to Medium Density Single Family Residential District (SF-3).

**Layman's Description: 529 East Don Tyson Parkway**

**Legal Description:** PART OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION THIRTEEN (13), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTY (30) WEST OF THE FIFTH PRINCIPAL MERIDIAN, SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF WALNUT GROVE ADDITION AS SHOWN IN PLAT BOOK 14 AT PAGE 37 OF THE WASHINGTON COUNTY RECORDS, SAID POINT BEING A FOUND ALUMINUM CAP IN CONCRETE "PLS 969" ON THE WESTERLY RIGHT OF WAY LINE OF POWELL STREET; THENCE ALONG THE NORTH LINE OF SAID WALNUT GROVE ADDITION, N87°40'16"W A DISTANCE OF 620.07 FEET TO THE NORTHWEST CORNER OF SAID WALNUT GROVE ADDITION AND A FOUND 5/8 INCH REBAR; THENCE LEAVING SAID NORTH LINE, AND ALONG THE EAST OF RENAISSANCE SOUTH SUBDIVISION, N02°08'31"E A DISTANCE OF 194.65 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF EAST DON TYSON PARKWAY AND A SET "MAG" NAIL IN A CONCRETE WALK; THENCE LEAVING SAID EAST LINE AND ALONG SAID SOUTHERLY RIGHT OF WAY LINE, S87°36'22"E A DISTANCE OF 68.71 FEET TO A SET "MAG" NAIL IN A CONCRETE WALK; THENCE S88°27'49"E A DISTANCE OF 295.02 FEET TO A POINT IN SAID CONCRETE WALK FROM WHICH A FOUND 1/2 INCH REBAR FALLS S02°37'29"W A DISTANCE OF 1.71 FEET; THENCE LEAVING SAID SOUTHERLY RIGHT OF WAY LINE, S02°37'29"W A DISTANCE OF 109.84 FEET TO A FOUND 5/8 INCH REBAR; THENCE S87°54'10"E A DISTANCE OF 257.12 FEET TO THE WESTERLY RIGHT



OF WAY LINE OF POWELL STREET AND A SET IRON PIN WITH CAP "PLS 1156"; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE, S02°02'34"W A DISTANCE OF 89.86 FEET TO THE POINT OF BEGINNING, CONTAINING 2.16 ACRES (94,217 SQUARE FEET), MORE OR LESS, AND SUBJECT TO ALL RIGHTS OF WAY, EASEMENTS OR RESTRICTIVE COVENANTS OF RECORD OR FACT.

**AND WHEREAS**, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from Agricultural District (A-1) to Medium Density Single Family Residential District (SF-3) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS:**

**SECTION 1:** That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

From Agricultural District (A-1) to Medium Density Single Family Residential District (SF-3).

**SECTION 2:** That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

**SECTION 3: EMERGENCY CLAUSE:** It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas shall be in effect immediately upon its passage and approval.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021**

\_\_\_\_\_  
Doug Sprouse, Mayor

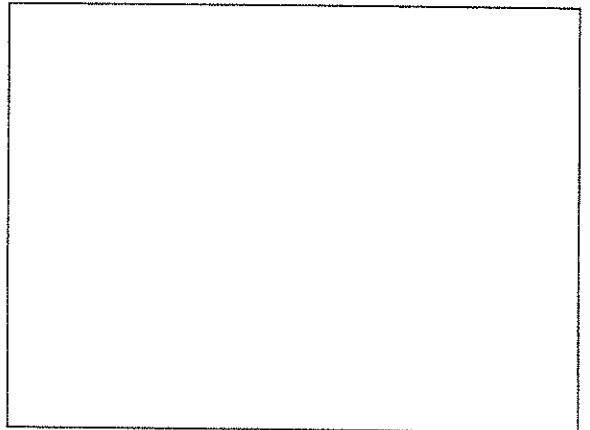
ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest Cate, City Attorney





ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO GENERAL COMMERCIAL DISTRICT (C-2) AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of February 2, 2021 for hearing the matter of a petition of Saul and Deris Calderon, requesting that the following described tract of real estate to be zoned from Agricultural District (A-1) to General Commercial District (C-2).

**Layman's Description:** 3161 North Thompson Street

**Legal Description:** The S1/2 of the NW1/4 of the SW1/4 of SW1/4 of Section 24, Township 18 North of Range 30 West, Benton County, Arkansas. Subject to a 14 foot wide easement over and across the SE corner of the above described land. Subject to easements, rights-of-way, and protective covenants of record, if any. Subject to all prior mineral reservations and oil and gas leases.

**AND WHEREAS**, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from Agricultural District (A-1) to General Commercial District (C-2) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS:**

**SECTION 1:** That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:



From Agricultural District (A-1) to General Commercial District (C-2).

**SECTION 2:** That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

**SECTION 3: EMERGENCY CLAUSE:** It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas shall be in effect immediately upon its passage and approval.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021**

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest Cate, City Attorney



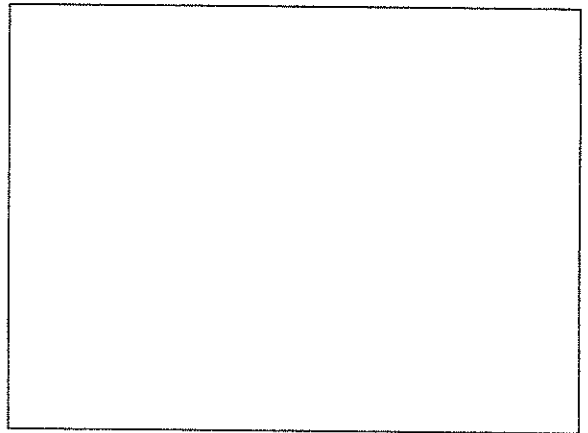
Public Hearing Sign Posted Prior/On: 1/22/2021  
Public Hearing Sign Posted By: RB  
Public Hearing Sign Location



0 50 100 200 300 400 Feet  
For Location Reference Only

PLANNING COMMISSION MEETING  
February 2, 2021

FILE NO. R21-06  
APPLICANT: Saul & Deris Calderon  
REQUEST: Rezone parcels from A-1 to C-2



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO GENERAL COMMERCIAL DISTRICT (C-2) AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of February 2, 2021 for hearing the matter of a petition of David and Natasha Harris, requesting that the following described tract of real estate to be zoned from Agricultural District (A-1) to General Commercial District (C-2).

**Layman's Description:** 964 Maestri Road

**Legal Description:** TRACT A: A Part of the South Half (S-1/2) of the Northeast Quarter (NE-1/4) of the Southeast Quarter (SE-1/4) OF Section 36, T-18-N, R-31-W, Washington County, Arkansas, and being more particularly described as follows, to-wit: Beginning at the NE corner of the S-1/2 of the NE-1/4 of the SE-1/4 of said Section 36; thence S°00 06' 00W 639.42 feet; thence N17° 10'24" W 225.93 feet; thence N17° 49'20" W 193.59 feet; thence N19° 58;11" W 258.39 feet; thence S89° 02' 36" E 215.35 feet to the POINT OF BEGINNING, containing 152 acres, more or less and subject to a permanent road easement as described in Land Document #2004-45990, land records of Washington County, Arkansas, and subject to any additional easements and/or rights-of-way of record, if any.

TRACT B: A part of the NE-1/4 of the SE-1/4 of Section 36, T-18-N, R-31-W, Washington County, Arkansas, being more particularly described as follows: Commencing at the NE corner of said 40 acre tract, said point being an existing iron rebar; thence S00° 16' 06" W along the East line of said 40 acre tract 445.00 feet to a set 1/2" iron rebar for the true point of beginning; thence S89° 32' 36" W 343.57 feet to a point in the center of State Highway #112, from which a 1/2" iron rebar(reference iron) set on the East Right-of-Way of said Highway bears N89° 32' 36" 42.83 feet; thence N21° 23'28" W along the center of said Highway 287.96 feet to the intersection of the centerlines of said Highway No. 112 and County Road #910 (Gibbs Road), thence leaving eh centerline of said Highway #112 and running along the center of said County

Road #910, the following bearings and distances: S81° 52' 13" E 50.79 feet; thence N88° 51' 22" E 57.65 feet; thence N79° 52' 33" E 53.31 feet; thence N71° 28' 54" E 53.64 feet to a point from which a 1/2" iron rebar (reference iron) set on the South Right-of-Way of said County Road bears S39° 42' 37" E 31.18 feet; thence leaving the center of said county road S39° 42' 37" E 371.47 feet to the POINT OF BEGINNING, containing 1.76 acres, more or less. The above described 1.76 acre tract being subject to the Right-of-Way of Washington County Road #910 along the entire North boundary.

TRACT C: A part of the NE-1/4 of the SE-1/4 of Section 36, T-18-N, R-31-W, Washington County, Arkansas, being more particularly described as follows, to-wit: Beginning at a point 445.0 feet South of the NE corner of said 40 acre tract, and running thence W 349.43 feet to the centerline of Highway #112; thence along said centerline S22° 22' 00" E. 232.50 feet; thence leaving said centerline and running east 260.69 feet; thence North 25.00 feet to the POINT OF BEGINNING, containing 1.5 acres, more or less; subject to any existing easements and restrictions of record, if any. Subject to recorded instruments, covenant's, rights of way, and easements, if any; subject to all prior mineral reservations and oil and gas leases if any.

**AND WHEREAS**, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from Agricultural District (A-1) to General Commercial District (C-2) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS:**

**SECTION 1:** That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

From Agricultural District (A-1) to General Commercial District (C-2).

**SECTION 2:** That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

**SECTION 3: EMERGENCY CLAUSE:** It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas shall be in effect immediately upon its passage and approval.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021**

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

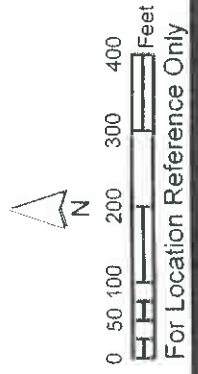
\_\_\_\_\_  
Ernest Cate, City Attorney

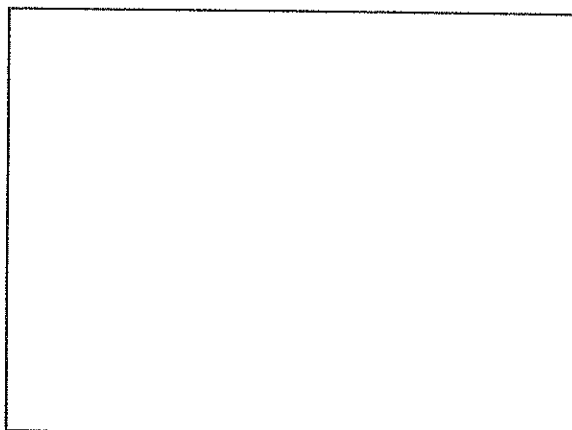




PLANNING COMMISSION MEETING  
February 2, 2021

**FILE NO. R21-07**  
**APPLICANT: David & Natasha Harris**  
**REQUEST: Rezone parcels from A-1 to C-2**





ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM AGRICULTURAL (A-1) DISTRICT TO LOW DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (SF-1) AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of February 2, 2021 for hearing the matter of a petition of Bryan and Shannon Passmore, requesting that the following described tract of real estate to be zoned from Agricultural District (A-1) to Low Density Single Family Residential District (SF-1).

**Layman's Description:** 7132 Bur Oak Road

**Legal Description:** PART OF THE NORTH HALF (N 1/2) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION THIRTY-ONE (31) TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTY (30) WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF SPRINGDALE, WASHINGTON COUNTY ARKANSAS AND BEING TRACT 2 OF TANDEM LOT SPLIT FILED AS SURVEY FILE 2010-29635 OF THE WASHINGTON COUNTY RECORDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE N 1/2 OF THE NE 1/4 OF THE SE 1/4 OF SAID SECTION 31, SAID POINT BEING A FOUND COTTON PICKER SPINDLE IN BUR OAK ROAD; THENCE N87° 14' 15" W A DISTANCE OF 534.65 FEET TO A FOUND REBAR; THENCE N02° 51' 42" E A DISTANCE OF 408.92 FEET TO A FOUND IRON PIN WITH CAP "PLS 1439"; THENCE S87° 00' 39" E A DISTANCE OF 454.18 FEET TO A FOUND IRON PIN WITH CAP "PLS 1439"; THENCE N36° 35' 19" E A DISTANCE OF 140.49 FEET TO A POINT ON THE EAST LINE OF SAID N 1/2 OF THE NE 1/4 OF THE SE 1/4 IN LAKE ELMDALE FROM WHICH A FOUND IRON PIN WITH CAP "PL3 1439" FALLS S36° 35' 19" W A DISTANCE OF 41.87 FEET; THENCE ALONG SAID EAST LINE, S02° 35' 31" W A DISTANCE OF 523.84 FEET TO THE POINT OF BEGINNING, CONTAINING 5.10 ACRES, MORE OR LESS, AND SUBJECT TO THE RIGHT OF WAY OF BUR OAK

ROAD AT THE SOUTHEAST CORNER THEREOF AND ALL RIGHTS OF WAY, EASEMENTS OR RESTRICTIVE COVENANTS OF RECORD OR FACT.

**AND WHEREAS**, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from Agricultural District (A-1) to Low Density Single Family Residential District (SF-1) for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS:**

**SECTION 1:** That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

From Agricultural District (A-1) to Low Density Single Family Residential District (SF-1).

**SECTION 2:** That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

**SECTION 3: EMERGENCY CLAUSE:** It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas shall be in effect immediately upon its passage and approval.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021**

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

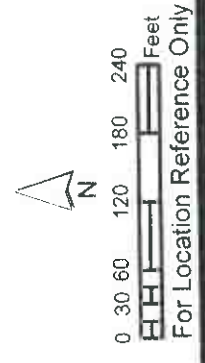
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Ernest Cate, City Attorney

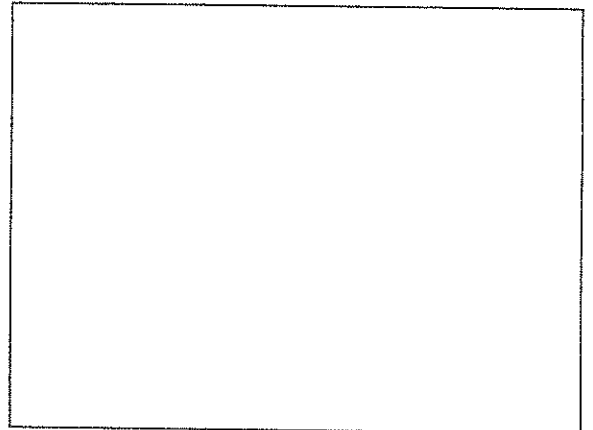




PLANNING COMMISSION MEETING  
February 2, 2021

**FILE NO. R21-08**  
**APPLICANT: Bryan & Shannon Passmore**  
**REQUEST: Rezone parcels from A-1 to SF-1**





ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING ORDINANCE NO. 3307 THE SAME BEING THE ZONING ORDINANCE OF THE CITY OF SPRINGDALE, ARKANSAS, AND THE PLAT PERTAINING THERETO BY REZONING CERTAIN LANDS FROM AGRICULTURAL DISTRICT (A-1) TO LOW/MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT (SF-2) AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Planning Commission of the City of Springdale, Arkansas, Washington County, gave notice required by law and set a hearing date of February 2, 2021 for hearing the matter of a petition of Jackie and Sherry Moore, requesting that the following described tract of real estate to be zoned from Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2).

**Layman's Description:** 3300 Clyde Lane

**Legal Description:** THE FOLLOWING LANDS LYING IN WASHINGTON COUNTY, ARKANSAS TO-WIT: A PART OF THE SOUTH QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION EIGHT (8), TOWNSHIP SEVENTEEN (17) NORTH RANGE TWENTY-NINE (29) WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS TO-WIT: BEGINNING AT A POINT WHICH IS SOUTH 89 DEGREES, 43 MINUTES 20 SECONDS EAST 335.0 FEET FROM THE SOUTHWEST CORNER OF SAID 40 ACRE TRACT AND RUNNING THENCE SOUTH 89 DEGREES 43 MINUTES 40 SECONDS EAST 224.0 FEET; THENCE NORTH 02 DEGREES 07 MINUTES 40 SECONDS EAST 380.30 FEET; THENCE NORTH 87 DEGREES 09 MINUTES 38 SECONDS WEST 50.0 FEET; THENCE NORTH 95 DEGREES 25 MINUTES 09 SECONDS EAST 413.66 FEET; THENCE SOUTH 85 DEGREES 55 MINUTES 38 SECONDS EAST 47.13 FEET TO THE CENTERLINE OF CLYDE LANE, THENCE NORTH 24 DEGREES 26 MINUTES 47 SECONDS WEST ALONG SAID CENTERLIN 120.74 FEET; THENCE NORTH 20 DEGREES 36 MINUTES 57 SECONDS WEST 117.23 FEET; THENCE NORTH 89 DEREES 43 MINUTES 40 SECONDS WEST 30.0 FEET; THENCE SOUTH 19 DEGREES 56 MINUTES 04 SCONDS EAST 122.40 FEET; THENCE SOUTH 80 DEGREES 01 MINUTES 37 SECONDS WEST ALONG AN EXISTING FENCE 200.47 FEET; THENCE SOUTH 00 DEGREES 10 MINUTES 05 SECONDS EAST ALONG AN

EXISTING FENCE 859.91 FEET TO THE POINT OF BEGINNING, CONTAINING 4.60 ACRES, MORE OR LESS. SUBJECT TO THAT PORTION IS CLYDE LANE ROAD RIGHT-OF-WAY ON THE NORTHEAST SIDE OF HEREIN DESCRIBED TRACT.

**AND WHEREAS**, after notice as required by law, the Springdale Planning Commission held a hearing and after hearing arguments for and against such rezoning, recommends to the Springdale City Council that the area described herein should be rezoned from Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2).for the purposes of that Zoning Ordinance would be more properly carried out by such rezoning, and that unless granted, citizens of Springdale will suffer irreparable harm and damage, and will be substantially deprived of the use of their property.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE, ARKANSAS:**

**SECTION 1:** That Ordinance No. 3307, the Amendments thereto, and the Zoning Plat pertaining thereto of the City of Springdale, Arkansas, should be and the same is amended as follows:

From Agricultural District (A-1) to Low/Medium Density Single Family Residential District (SF-2).

**SECTION 2:** That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

**SECTION 3: EMERGENCY CLAUSE:** It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas shall be in effect immediately upon its passage and approval.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021**

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest Cate, City Attorney





PLANNING COMMISSION MEETING  
February 2, 2021

FILE NO. R21-09  
APPLICANT: Jackie & Sherry Moore  
REQUEST: Rezone parcels from A-1 to SF-2



**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING A CONDITIONAL USE AT  
7132 BUR OAK ROAD FOR BRYAN K. AND SHANNON  
R. PASSMORE AS SET FORTH IN ORDINANCE NO. 4030**

**WHEREAS**, Ordinance #4030 amending Chapter 130 (Zoning Ordinance) of the Springdale Code of Ordinance provides that an application for a conditional use on appeal must be heard first by the Planning Commission and a recommendation made to the City Council; and

**WHEREAS**, the Planning Commission held a public hearing on February; 2, 2021 on a request by Bryan K. and Shannon R. Passmore for a conditional use for a Tandem Lot Split in a Low Density Single Family Residential District (SF-1) at 7132 Bur Oak Road; and

**WHEREAS**, following the public hearing the Planning Commission by a vote of nine (9) yes and zero (0) no recommends that a conditional use be granted to Bryan K. and Shannon R. Passmore for a tandem lot split in a Low Density Single Family Residential District (Sf-1) at 7132 Bur Oak Road with the following conditions – No conditions set.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE**, that the City Council hereby grants a conditional use to Bryan K. and Shannon R. Passmore for a tandem lot split in a Low Density Single Family Residential District (SF-1) at 7132 Bur Oak Road with the following conditions – no conditions set.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.**

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

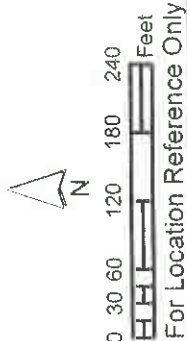
\_\_\_\_\_  
Ernest Cate, City Attorney





**FILE NO. C21-04**  
**APPLICANT: Bryan & Shannon Passmore**  
**REQUEST: Conditional Use for a**  
**Tandem Lot Split in SF-1**

PLANNING COMMISSION MEETING  
February 2, 2021



RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION APPROVING A CONDITIONAL USE AT  
8727 EAST WAGON WHEEL ROAD FOR DOMINIK AND  
ISABELLE MAERKI AS SET FORTH IN ORDINANCE NO.  
4030**

**WHEREAS**, Ordinance #4030 amending Chapter 130 (Zoning Ordinance) of the Springdale Code of Ordinance provides that an application for a conditional use on appeal must be heard first by the Planning Commission and a recommendation made to the City Council; and

**WHEREAS**, the Planning Commission held a public hearing on February 2, 2021 on a request by Dominik and Isabelle Maerki for a conditional use for a Use Unit 36 (Horses kept in a residential area) in a Low Density Single Family Residential District (SF-1) at 8727 East Wagon Wheel Road and

**WHEREAS**, following the public hearing the Planning Commission by a vote of nine (9) yes and zero no (0) recommends that a conditional use be granted to Dominik and Isabelle Maerki for a Use Unit 36 (Horses kept in a residential area) in a Low Density Single Family Residential District (SF-1) at 8727 East Wagon Wheel Road with the following conditions – Size of tract does not meet minimum requirements for keeping of horses; however the applicant has entered into a lease agreement with the Springdale Water & Sewer Commission for use of 2.7 acres of the Benton Farm Property to meet the required minimum lot size of 3 acres.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE**, that the City Council hereby grants a conditional use to Dominik and Isabelle Maerki for a Use Unit 36 (Horses kept in a residential area) in a Low Density Single Family Residential District (SF-1) at 8727 East Wagon Wheel Road with the following conditions – Size of tract does not meet minimum requirements for keeping of horses; however the applicant has entered into a lease agreement with the Springdale Water & Sewer Commission for use of 2.7 acres of the Benton Farm Property to meet the required minimum lot size of 3 acres.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.**

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest Cate, City Attorney





Public Hearing Sign Posted Prior/On: 1/22/2021  
Public Hearing Sign Posted By: RB  
Public Hearing Sign Location



0 25 50 100 150 200 Feet

For Location Reference Only

FILE NO. C21-02  
APPLICANT: Isabelle & Dominick Maerki  
REQUEST: Conditional Use for a

Use Unit 36 (Horses kept in a residential area) located in SF-1

PLANNING COMMISSION MEETING  
February 2, 2021



**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION APPROVING A CONDITIONAL USE AT  
4407-4409 SOUTH THOMPSON STREET FOR MARIA  
HERNANDEZ AS SET FORTH IN ORDINANCE NO. 4030**

**WHEREAS**, Ordinance #4030 amending Chapter 130 (Zoning Ordinance) of the Springdale Code of Ordinance provides that an application for a conditional use on appeal must be heard first by the Planning Commission and a recommendation made to the City Council; and

**WHEREAS**, the Planning Commission held a public hearing on February 2, 2021 on a request by Maria Hernandez for a conditional use for a Use Unit 44 (Mobile Vending) in a General Commercial District (C-2) at 4407-4409 South Thompson Street; and

**WHEREAS**, following the public hearing the Planning Commission by a vote of Eight (8) yes and zero (0) no recommends that a conditional use be granted to Maria Hernandez for a Use Unit 44 (Mobile Vending) in a General Commercial District (C-2) at 4407-4409 South Thompson Street with the following conditions –

- a. **May not operate between the hours of 10:00 p.m. and 7:00 a.m.**
- b. **No obstruction of parking spaces required for the operation of any other use on the site.**
- c. **Maintain on the site a minimum of three parking spaces designated for their use.**
- d. **If a health certificate is required, display the health certificate in a manner visible to customers.**
- e. **No obstruction of pedestrian or motor vehicle traffic flow.**
- f. **No obstruction of traffic signals or regulatory signs**
- g. **No vending upon a public way.**
- h. **Sound any device that produces a loud and raucous noise in violation of city ordinance or violate any other city ordinances in connection with the vending operation.**
- i. **Keep vending sites clean and free of paper or refuse of any kind generated from the operation of their business. All trash or debris accumulating within twenty (20) feet of any vending stand collect and deposit into a trash container.**

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE**, that the City Council hereby grants a conditional use to Maria Hernandez for a Use Unit 44 (Mobile Vending) in a General Commercial District (C-2) at 4407-4409 South Thompson with the following conditions –

- a. **May not operate between the hours of 10:00 p.m. and 7:00 a.m.**
- b. **No obstruction of parking spaces required for the operation of any other use on the site.**
- c. **Maintain on the site a minimum of three parking spaces designated for their use.**
- d. **If a health certificate is required, display the health certificate in a manner visible to customers.**
- e. **No obstruction of pedestrian or motor vehicle traffic flow.**
- f. **No obstruction of traffic signals or regulatory signs**
- g. **No vending upon a public way.**
- h. **Sound any device that produces a loud and raucous noise in violation of city ordinance or violate any other city ordinances in connection with the vending operation.**
- i. **Keep vending sites clean and free of paper or refuse of any kind generated from the operation of their business. All trash or debris accumulating within twenty (20) feet of any vending stand collect and deposit into a trash container.**

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

ATTEST:

\_\_\_\_\_  
Doug Sprouse, Mayor

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest Cate, City Attorney



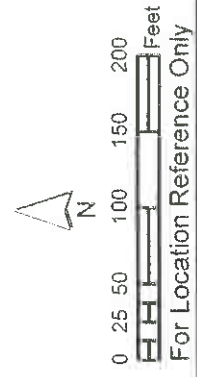
FILE NO. C21-03

APPLICANT: Maria Hernandez

REQUEST: Conditional Use for a

Use Unit 44 (mobile vending site/food truck) located in C-2

PLANNING COMMISSION MEETING  
February 2, 2021



RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION APPROVING A WAIVER OF STREET IMPROVEMENTS, DRAINAGE, CURBS, GUTTERS AND SIDEWALKS AS SET FORTH IN ORDINANCE NO. 3725 TO TREY THOMPSON IN CONNECTION WITH 4078 CARRIAGE CROSSING A SINGLE FAMILY DWELLING**

**WHEREAS**, Ordinance #3047 provides for the waiver of street improvements, drainage relating thereto, curbs, gutters and sidewalks to be first heard by the Planning Commission and a recommendation made to the City Council, with any waivers to be granted by the City Council only; and

**WHEREAS**, the Planning Commission reviewed a request for waiver of street improvements to including drainage improvements related thereto, sidewalks and in connection with 4078 Carriage Crossing a single family dwelling for Trey Thompson and the Planning Commission recommends approval of the waiver request.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPRINGDALE**, that the City Council hereby:

**Option 1: Grants** a waiver of street improvements to Carriage Crossing including drainage improvements related thereto, sidewalks in connection with 4078 Carriage Crossing, a single family dwelling.

**Option 2: Denies** a waiver of street improvements to Carriage Crossing including drainage improvements related thereto, sidewalks in connection with 4078 Carriage Crossing a single family dwelling.

**Option 3: Approves** payment in lieu of improvements to Carriage Crossing in connection with 4078 Carriage Crossing a single family dwelling with estimated cost to be submitted by the developer's engineer for confirmation by the Planning Department.

**Option 4: Denies** a waiver and allow a Bill of Assurance for a period not to exceed \_\_\_\_\_ years for street improvements to Carriage Crossing including drainage improvements related thereto, sidewalks to be built in connection with 4078 Carriage Crossing a single family dwelling.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.**

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

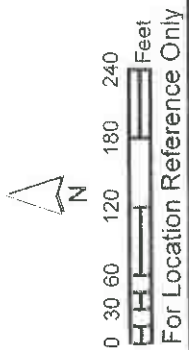
\_\_\_\_\_  
Ernest Cate, City Attorney





**FILE NO. W21-01**  
**APPLICANT: Trey Thompson**  
**REQUEST: Waiver of sidewalk requirements**

PLANNING COMMISSION MEETING  
February 2, 2021



RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE GRANT OF  
WATER/SEWER EASEMENTS TO THE SPRINGDALE  
WATER AND SEWER COMMISSION ACROSS  
PROPERTY OWNED BY THE CITY OF SPRINGDALE,  
WASHINGTON COUNTY, ARKANSAS.**

**WHEREAS**, the City of Springdale, Arkansas, owns property located on Martin Drive, known as Parcel No. 815-20239-000, Washington County, Arkansas ("the Property");

**WHEREAS**, the Springdale Water and Sewer Commission is in need of documenting water/sewer easements across the Property for water/sewer improvements, as shown on the map attached hereto;

**WHEREAS**, the water/sewer easements are necessary for the documentation and preservation of existing water/sewer facilities in the area of the Property, and will be beneficial to future growth and development of the area; and

**WHEREAS**, Ark. Code Ann. §14-54-302 provides that the Mayor and City Clerk may execute the attached easement document (Exhibit "A") when authorized to do so by Resolution approved by the City Council.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS** that the Mayor and City Clerk are hereby authorized to execute the attached easement document granting water/sewer easements across the Property to the Springdale Water and Sewer Commission.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, City Attorney

## **EASEMENT**

### **KNOW ALL MEN BY THESE PRESENTS:**

**THAT** the undersigned **City of Springdale, Arkansas, a municipal corporation**, Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to us in hand paid by the **Springdale Water and Sewer Commission, Springdale, Arkansas**, Grantee, does hereby grant, bargain and sell unto the said **Springdale Water and Sewer Commission, Springdale, Arkansas**, and unto its successors and assigns, an easement for a water transmission line(s), and/or sewer collection or force main line(s), over, under or across the hereinafter described land in **Washington County, Arkansas**, to-wit:

### **PROPERTY DESCRIPTION (Parcel No. 815-20239-000):**

Lot Twenty-eight (28) in Block Nine (9), American Subdivision to the City of Springdale, Washington County, Arkansas.

As described in **Warranty Deed Book 861 at Page 457** of the records of the Circuit Clerk and Ex-Officio Recorder, Washington County, Arkansas.

### **PERMANENT EASEMENT DESCRIPTIONS:**

**SEWER EASEMENT "A":** (Also described as Sewer Easement #2 in a "Survey of Lot 27, Block 9 American Subdivision & Easement Dedication" for use by David Keen by Satterfield Land Surveyors P.A. as Job No. 45,437)

A 20.00' Sewer Line Easement in part of Lot 28, Block 9, American Subdivision to the City of Springdale, Washington County, Arkansas, being 10.00 feet each side of a centerline and being more particularly described as follows:

Commencing at a set rebar with cap marking the Southwest Corner of Lot 28. Thence along the South line of said Lot 28, South 87 degrees 48 minutes 18 seconds East, 53.87 feet to the centerline of an underground sewer line and the Point of Beginning. Thence along said centerline, North 74 degrees 41 minutes 15 seconds East, 68.64 feet to the North line of Lot 28 and the Point of Termination.

**SEWER EASEMENT "B":** (Also described as Sewer Easement #4 in a "Survey of Lot 27, Block 9 American Subdivision & Easement Dedication" for use by David Keen by Satterfield Land Surveyors P.A. as Job No. 45,437)

Part of Lot 28, Block 9, American Subdivision to the City of Springdale, Washington County, Arkansas, being more particularly described as follows:

Beginning at a set rebar with cap marking the Southwest Corner of Lot 28. Thence along the West line of Lot 28 the following bearings and distances: North 68 degrees 44 minutes 13 seconds West,

6.46 feet; North 16 degrees 39 minutes 52 seconds West, 7.57 feet. Thence leaving said West line, South 56 degrees 28 minutes 37 seconds East, 17.83 feet to the South line of Lot 28. Thence along said South line, North 87 degrees 48 minutes 18 seconds West, 6.68 feet to the Point of Beginning.

**TO HAVE AND TO HOLD** the above described easement and rights unto said Grantee, its successors and assigns, forever or until said right of way is abandoned.

And Grantor agrees to warrant and forever defend all and singular the above described easement and rights unto said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or seek to claim he same or any part thereof.

This Easement is declared to and does inure to the benefit of the public generally, and shall be binding upon the successors in title to the lands herein described or any other part thereof, their mortgages, lessees, heirs, administrators, executors, successors, and assigns.

**IN WITNESS WHEREOF**, the hands and seals of Grantor are hereunto set, this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**City of Springdale, Arkansas,  
a municipal corporation**

By: \_\_\_\_\_  
Doug Sprouse, Mayor

**ATTEST:**

\_\_\_\_\_  
Denise Pearce, City Clerk/Treasurer

**ACKNOWLEDGMENT**

**STATE OF ARKANSAS                    }**  
  **}SS**  
**COUNTY OF WASHINGTON        }**

On this the \_\_\_\_\_ day of \_\_\_\_\_, 2021, before me, \_\_\_\_\_, the undersigned Notary Public, personally appeared **Doug Sprouse** and **Denise Pearce**, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, who acknowledged themselves to be respectively, the **Mayor** and **City Clerk/Treasurer** of the **City of Springdale, Arkansas, a municipal corporation**, and that they, as such **Mayor** and **City Clerk/Treasurer**, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

**IN WITNESS WHEREOF**, I hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_





RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE TRANSFER OF  
PROPERTY TO THE SPRINGDALE PUBLIC FACILITIES  
BOARD.**

**WHEREAS**, in September 2018, the Springdale Public Facilities Board transferred property it owned to the City of Springdale for the purpose of the construction of Fire Station #8;

**WHEREAS**, the City did not utilize all of the property transferred in the construction of Fire Station #8, and now wishes to transfer the remaining property ("the Property") back to the Springdale Public Facilities Board, said property being located in the City of Springdale, Washington County, Arkansas, said land being more particularly described as follows:

A PART OF LOT 10-B, R.L. HAYES SUBDIVISION, CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AS SHOWN IN PLAT BOOK 15 AT PAGE 140 ALSO BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION THIRTY-ONE (31), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWENTY-NINE (29) WEST OF THE FIFTH PRINCIPAL MERIDIAN, CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, SAID POINT BEING A FOUND IRON PIN WITH CAP "ESI COA 131"; THENCE ALONG THE SOUTH LINE OF THE SE 1/4 OF THE NE 1/4 OF SAID SECTION 31, S87°35'14"E A DISTANCE OF 285.01 FEET A SET IRON PIN WITH CAP "PLS 1156" AT THE SOUTHWEST CORNER OF SAID LOT 10-A; THENCE ALONG THE WEST LINES OF SAID LOTS 10-A AND 10-B ALSO BEING THE EASTERLY RIGHT OF WAY LINE OF KAWNEER DRIVE, N02°36'57"E A DISTANCE OF 226.53 FEET TO THE POINT OF BEGINNING, SAID POINT BEING A SET IRON PIN WITH CAP "PLS 1156"; THENCE CONTINUING N02°36'57"E A DISTANCE OF 152.17 FEET TO THE NORTHWEST CORNER OF SAID LOT 10-B AND A FOUND IRON PIN WITH CAP "RLS 1130"; THENCE LEAVING SAID WEST LINES AND ALONG THE NORTH LINE OF SAID LOT 10-B, S87°45'05"E A DISTANCE OF 374.45 FEET TO THE NORTHEAST CORNER OF SAID LOT 10-B AND A FOUND IRON PIN WITH CAP "RLS 1130"; THENCE LEAVING SAID NORTH LINE AND ALONG THE EAST LINES OF SAID LOT 10-B, S02°26'08"W A DISTANCE OF 153.24 FEET TO A SET IRON PIN WITH CAP "PLS 1156"; THENCE LEAVING SAID EAST LINES, N87°35'14"W A DISTANCE OF 374.93 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.31 ACRES (57,217 SQUARE FEET), MORE OR LESS, AND SUBJECT TO ALL RIGHTS OF WAY, EASEMENTS OR RESTRICTIVE COVENANTS OF RECORD AND FACT.

**WHEREAS**, Arkansas law empowers and authorizes the City to sell or transfer real property it owns, subject to approval by the City Council;

**WHEREAS**, given the benefits derived to the City from the property transferred to the City for Fire Station #8, it is reasonable to transfer the remaining property back to the Springdale Public Facilities Board;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS** that the Mayor and City Clerk are hereby authorized to execute all documents necessary to effect the transfer of the Property to the Public Facilities Board.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, City Attorney

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE TRANSFER OF  
PROPERTY TO THE CITY OF SPRINGDALE,  
ARKANSAS.**

**WHEREAS**, the Springdale Public Facilities Board ("the Board") owns the following real property located in the City of Springdale, Washington County, Arkansas, said land being more particularly described as follows:

Lots 10A and Lot 10B, R.L. Hayes Subdivision, City of Springdale, Washington County, Arkansas, also known as Washington County Parcel No. 815-22506-010 and Washington County Parcel No. 815-22506-020 ("the Property")

**WHEREAS**, Arkansas law empowers and authorizes the Board to sell or transfer real property it owns, subject to approval by the Board;

**WHEREAS**, the City of Springdale wishes to build a fire station on the Property which will greatly benefit other land owned by the Board, as well as other industrial property located nearby;

**WHEREAS**, given the benefits described herein, which constitute adequate consideration, it is reasonable to transfer the Property to the City of Springdale;

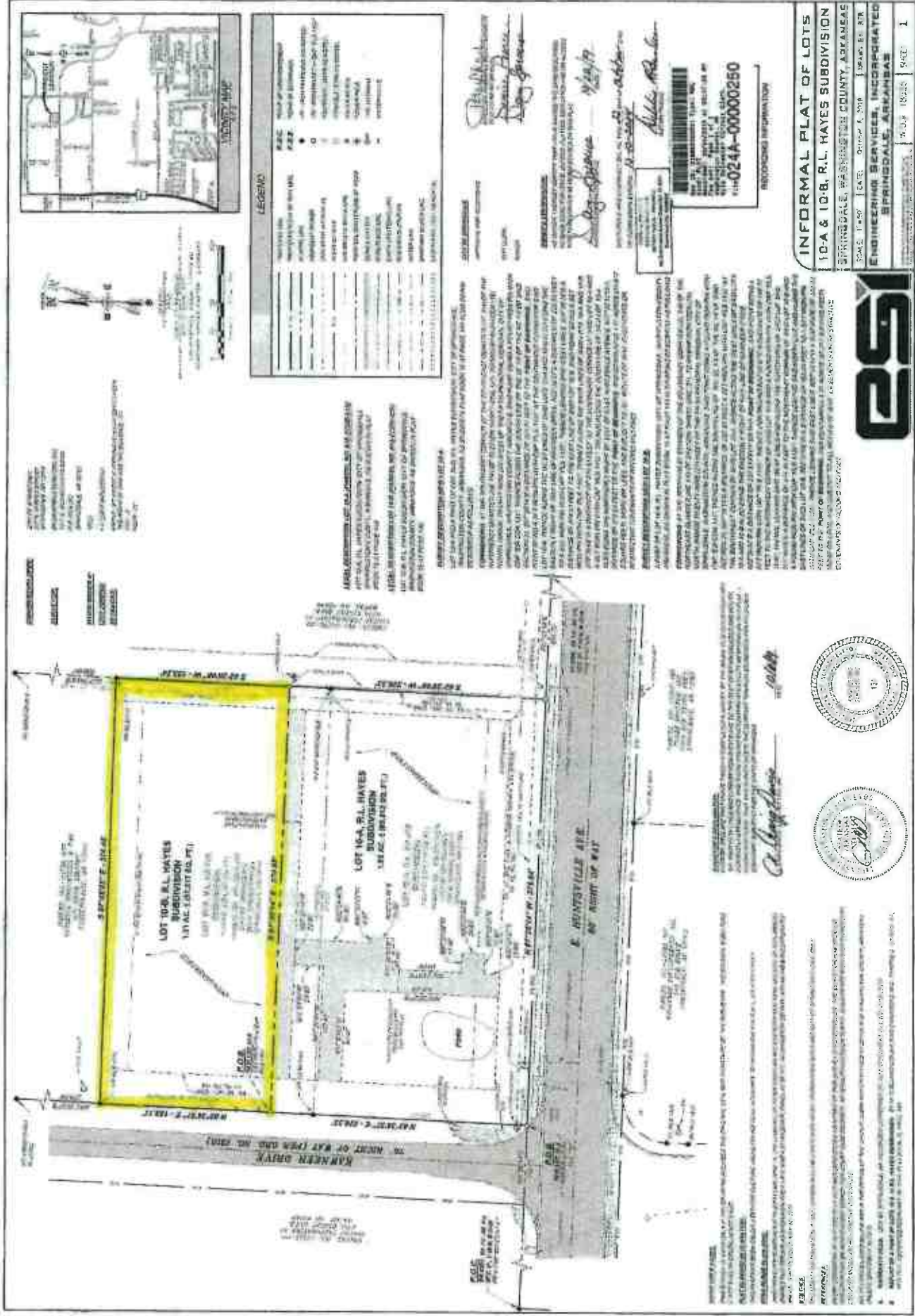
**NOW THEREFORE, BE IT RESOLVED BY THE SPRINGDALE PUBLIC FACILITIES BOARD**, that the Chairman and Secretary of the Springdale Public Facilities Board are hereby authorized to execute all documents necessary to effect the transfer of the Property to the City of Springdale, Arkansas.

**PASSED AND APPROVED** this 19<sup>th</sup> day of SEPTEMBER, 2018.

  
Jim Crouch, Chairman

ATTEST:

  
Rex Bailey, Secretary





RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION DESIGNATING A PROJECT FOR THE  
USE OF FUNDS CONTRIBUTED BY THE SPRINGDALE  
PUBLIC FACILITIES BOARD.**

**WHEREAS**, the City of Springdale is planning to widen and make other improvements to Kendrick Avenue between Arkansas Highway 265 and Old Wire Road;

**WHEREAS**, the Springdale Public Facilities Board owns real property located on both sides of Kendrick Avenue, is marketing this property for future industrial development, and will benefit from the Kendrick Avenue Street Improvement Project;

**WHEREAS**, the Springdale Public Facilities Board wishes to contribute to a project as designated by the Springdale City Council;

**WHEREAS**, on June 16, 2020, the Springdale Public Facilities Board adopted a Resolution memorializing its commitment to contribute the sum of Two Million Dollars (\$2,000,000.00) to the City of Springdale, with said sum to be derived from the sale of Springdale Public Facilities Board owned property, to be applied to the cost of any project designated by Resolution of the Springdale City Council; and

**WHEREAS**, the City of Springdale wishes to designate the project for which the aforementioned funds contributed by the Springdale Public Facilities Board will be applied.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, that the Luther George Park Improvement Project is hereby designated as the project for which the \$2,000,000.00 contribution from the Springdale Public Facilities Board will be applied, and the City Clerk shall direct that a copy of this Resolution be communicated to the Springdale Public Facilities Board.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jim Crouch, Chairman

ATTEST:

\_\_\_\_\_  
Rex Bailey, Secretary

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION STATING THE INTENT OF THE PUBLIC  
FACILITIES BOARD TO CONTRIBUTE TO A CITY  
CAPITAL IMPROVEMENT PROJECT.**

**WHEREAS**, the City of Springdale is planning to widen and make other improvements to Kendrick Avenue between Arkansas Highway 265 and Old Wire Road;

**WHEREAS**, the Springdale Public Facilities Board owns real property located on both sides of Kendrick Avenue, is marketing this property for future industrial development, and will benefit from the Kendrick Avenue Street Improvement Project;

**WHEREAS**, the Springdale Public Facilities Board wishes to contribute to a Capital Improvement Project when funds become available;

**NOW THEREFORE, BE IT RESOLVED BY THE SPRINGDALE PUBLIC FACILITIES BOARD**, that the Springdale Public Facilities Board will contribute the total sum of Two Million Dollars (\$2,000,000.00) to a project designated by the City of Springdale, said sum to be derived from the sale of any property or properties currently owned by the Springdale Public Facilities Board. If the Springdale Public Facilities Board sells property prior to the City Council designating a project then, subject to any obligations of the current bond issue of the Springdale Public Facilities Board, funds will be deposited and held by the Springdale City Clerk until the City Council by Resolution designates such a project.

PASSED AND APPROVED this 16 day of June, 2020.

  
Jim Crouch, Chairman

ATTEST:

  
Rex Bailey, Secretary

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE GRANT OF A  
GENERAL UTILITY/WATER/SEWER EASEMENT  
ACROSS PROPERTIES OWNED BY THE CITY OF  
SPRINGDALE, BENTON COUNTY, ARKANSAS.**

**WHEREAS**, the City of Springdale, Arkansas, owns properties known as Parcel No. 21-00167-470, Parcel No. 21-00167-471, and Parcel No. 21-00167-545, Benton County, Arkansas ("the Properties");

**WHEREAS**, the Springdale Water and Sewer Commission is in need of a water/sewer easement across the Properties for water/sewer improvements, as shown on the attached Exhibit "A";

**WHEREAS**, the water/sewer easement is necessary for the construction and improvement of water/sewer facilities to enhance capacity in the area of the Properties, and will be beneficial to future growth and development of the area;

**WHEREAS**, certain utility lines were relocated as a result of the construction of Shaw Family Park, and it is necessary that a general utility easement be granted to document and preserve these easements; and

**WHEREAS**, Ark. Code Ann. §14-54-302 provides that the Mayor and City Clerk may execute the attached easement document (Exhibit "B") when authorized to do so by Resolution approved by the City Council.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS** that the Mayor and City Clerk are hereby authorized to execute the attached easement document granting a general utility/water/sewer easement across the Properties.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ernest B. Cate, City Attorney

## **EASEMENT**

### **KNOW ALL MEN BY THESE PRESENTS:**

**THAT** the undersigned **City of Springdale, Arkansas, a municipal corporation**, Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration to us in hand paid by the **Springdale Water and Sewer Commission, Springdale, Arkansas**, Grantee, does hereby grant, bargain and sell unto the said **Springdale Water and Sewer Commission, Springdale, Arkansas**, and unto its successors and assigns, an easement for a water transmission line(s), and/or sewer collection or force main line(s), over, under or across the hereinafter described land in **Washington County, Arkansas**, to-wit:

### **PROPERTY DESCRIPTION (Parcel No. 815-20239-000):**

Lot Twenty-eight (28) in Block Nine (9), American Subdivision to the City of Springdale, Washington County, Arkansas.

As described in **Warranty Deed Book 861 at Page 457** of the records of the Circuit Clerk and Ex-Officio Recorder, Washington County, Arkansas.

### **PERMANENT EASEMENT DESCRIPTIONS:**

**SEWER EASEMENT "A":** (Also described as Sewer Easement #2 in a "Survey of Lot 27, Block 9 American Subdivision & Easement Dedication" for use by David Keen by Satterfield Land Surveyors P.A. as Job No. 45,437)

A 20.00' Sewer Line Easement in part of Lot 28, Block 9, American Subdivision to the City of Springdale, Washington County, Arkansas, being 10.00 feet each side of a centerline and being more particularly described as follows:

Commencing at a set rebar with cap marking the Southwest Corner of Lot 28. Thence along the South line of said Lot 28, South 87 degrees 48 minutes 18 seconds East, 53.87 feet to the centerline of an underground sewer line and the Point of Beginning. Thence along said centerline, North 74 degrees 41 minutes 15 seconds East, 68.64 feet to the North line of Lot 28 and the Point of Termination.

**SEWER EASEMENT "B":** (Also described as Sewer Easement #4 in a "Survey of Lot 27, Block 9 American Subdivision & Easement Dedication" for use by David Keen by Satterfield Land Surveyors P.A. as Job No. 45,437)

Part of Lot 28, Block 9, American Subdivision to the City of Springdale, Washington County, Arkansas, being more particularly described as follows:

Beginning at a set rebar with cap marking the Southwest Corner of Lot 28. Thence along the West line of Lot 28 the following bearings and distances: North 68 degrees 44 minutes 13 seconds West,



6.46 feet; North 16 degrees 39 minutes 52 seconds West, 7.57 feet. Thence leaving said West line, South 56 degrees 28 minutes 37 seconds East, 17.83 feet to the South line of Lot 28. Thence along said South line, North 87 degrees 48 minutes 18 seconds West, 6.68 feet to the Point of Beginning.

**TO HAVE AND TO HOLD** the above described easement and rights unto said Grantee, its successors and assigns, forever or until said right of way is abandoned.

And Grantor agrees to warrant and forever defend all and singular the above described easement and rights unto said Grantee, its successors and assigns, against every person whomsoever lawfully claiming or seek to claim he same or any part thereof.

This Easement is declared to and does inure to the benefit of the public generally, and shall be binding upon the successors in title to the lands herein described or any other part thereof, their mortgages, lessees, heirs, administrators, executors, successors, and assigns.

**IN WITNESS WHEREOF**, the hands and seals of Grantor are hereunto set, this the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**City of Springdale, Arkansas,  
a municipal corporation**

By: \_\_\_\_\_  
Doug Sprouse, Mayor

**ATTEST:**

\_\_\_\_\_  
Denise Pearce, City Clerk/Treasurer

**ACKNOWLEDGMENT**

**STATE OF ARKANSAS                    }**  
   **}SS**  
**COUNTY OF WASHINGTON        }**

On this the \_\_\_\_\_ day of \_\_\_\_\_, 2021, before me, \_\_\_\_\_, the undersigned Notary Public, personally appeared **Doug Sprouse** and **Denise Pearce**, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, who acknowledged themselves to be respectively, the **Mayor** and **City Clerk/Treasurer of the City of Springdale, Arkansas, a municipal corporation**, and that they, as such **Mayor** and **City Clerk/Treasurer**, being authorized so to do, executed the foregoing instrument for the purposes therein contained.

**IN WITNESS WHEREOF**, I hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

## UTILITY EASEMENT

STATE OF ARKANSAS  
COUNTY OF BENTON

### KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of **One Dollar (\$1.00)** and other valuable considerations to the undersigned, **CITY OF SPRINGDALE, ARKANSAS, a municipal corporation**, paid, the receipt of which is hereby acknowledged, the said Grantor does hereby GRANT, SELL AND CONVEY unto the **CITY OF SPRINGDALE WATER AND SEWER COMMISSION**, all public utility companies, and the cable television company (herein styled Grantee), its successors and assigns, the right of way and easement to construct, lay, remove, relay, enlarge, maintain, inspect, repair, and operate a utility line or lines, manholes, and appurtenances thereto, with rights of ingress and egress to and from the same, on, over, across and under the following described real estate, to-wit:

**Property Description (Parcel No. 21-00167-470 & No. 21-00167-471 & 21-00167-545):**

EXHIBIT "A"

Tract A:

(PIN 21-001670471)

The North 3/4 of the W 1/2 of the NE 1/4 of the SE 1/4 of Section 19, T-18-N, R-30-W, Benton County, Arkansas

Tract B-3:

(PIN 21-00167-545)

The W 1/2 of the SE 1/4 of the SW 1/4 of Section 20, T-18-N, R-30-W, Benton County, Arkansas.

AND

(PIN 21-00167-470)

The E1/2 of the SE1/4 of Section 19, T-18-N, R-30-W, Benton County, Arkansas.

LESS & EXCEPT A tract in the NW corner of said 80.00 acre tract, described as follows: Beginning at the NW corner of said 80.00 acre tract, and running thence East 40 rods; thence South 60 rods; thence West 40 rods; thence North 60 rods to the point of beginning.

LESS & EXCEPT A part of the SE1/4 of the SE1/4 of Section 19, T-18-N, R-30-W, Benton County, Arkansas, being more particularly described as follows: From a found 1/2 inch rebar representing the SW corner of the SE 1/4 of the SE 1/4 of said Section 19; thence N 02°24'27"E, 608.55 feet; thence S 87°31'56" E, 37.12 feet to the point of beginning; thence N 02° 16'36" E, 50.00 feet; thence S 87°31'56" E, 121.53 feet; thence S 02°28'04" W, 50.00 feet; thence N 87°31'56" W, 121.36 feet to the point of beginning, containing 0.14 acres, more or less, and subject to any easements and/ or rights-of-way of record, if any.

The above described Tracts A & B-3 being more particularly described on a plat of survey by David A. Wilkins, PLS #1439, dated November 2012 and designated as job #12932, as follows:

The E 1/2 of the SE 1/4 of Section 19, T-18-N, R-30-W, and the W 1/2 of the W 1/2 of the SW 1/4 of Section 20, T-18-N, R-30-W of the Fifth Principle Meridian, City of Springdale, Benton County, Arkansas, being more particularly described as follows:

Beginning at a found 1/2" rebar for the SW corner of the SE 1/4 of the SE 1/4 of said Section 19, thence N 02°24'27" E, a distance of 1671.79 feet to a set iron pin with orange plastic cap "ESI COA 131"; thence N 02°27'51" E, a distance of 982.26 feet to the NW corner of the NE 1/4 of the SE 1/4 of said Section 19; thence S 87°55'57" E a distance of 1335.40 feet to a set iron pin with a orange plastic cap "ESI COA 131" for the NE corner of said forty acre tract; thence S 86°26'02" E a distance of 659.41 feet to a set iron pin with orange plastic cap "ESI COA 131"; thence S 02°28'04" W a distance of 2655.17 feet to a set iron pin with orange plastic cap "ESI COA 131"; thence N 86°35'41" W, a distance of 660.01 feet to a found 1/2" rebar for the SE corner of said SE 1/4, SE 1/4; thence N 87°48'22" W, a distance of 1332.93 feet to the point of beginning, containing 121.58 acres (5,295,990 square feet, more or less), and being subject to any easements, covenants or rights of way of record, if any.

Subject to easements, rights-of-way, and protective covenants of record, if any.  
Subject to all prior mineral reservations and oil and gas leases.

As described in **Warranty Deed Book 2012, Page 49898** of the records of the Circuit Clerk and Ex-Officio Recorder, Benton County, Arkansas.

**PERMANENT EASEMENT "A" DESCRIPTION: (See Attached "Easement Exhibit")**

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 30 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE EAST 1/4 CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 19; THENCE S02°22'29"W A DISTANCE OF 37.73 FEET TO THE **POINT OF BEGINNING**; THENCE S87°37'31"E A DISTANCE OF 659.30 FEET; THENCE S02°28'04"W A DISTANCE OF 30.00 FEET; THENCE N87°37'31"W A DISTANCE OF 1918.83 FEET; THENCE S02°32'16"W A DISTANCE OF 51.98 FEET; THENCE S87°31'56"E A DISTANCE OF 15.00 FEET; THENCE S02°32'16"W A DISTANCE OF 533.34 FEET; THENCE S87°49'13"E A DISTANCE OF 525.64 FEET; THENCE S87°39'09"E A DISTANCE OF 17.73 FEET; THENCE S87°29'12"E A DISTANCE OF 702.71 FEET; THENCE S87°04'15"E A DISTANCE OF 44.19 FEET; THENCE S86°39'19"E A DISTANCE OF 467.14 FEET; THENCE S87°02'05"E A DISTANCE OF 39.25 FEET; THENCE S87°24'53"E A DISTANCE OF 125.32 FEET; THENCE S02°29'43"W A DISTANCE OF 30.00 FEET; THENCE N87°24'51"W A DISTANCE OF 125.57 FEET; THENCE N87°02'05"W A DISTANCE OF 39.35 FEET; THENCE N86°39'19"W A DISTANCE OF 467.13 FEET; THENCE N87°04'15"W A DISTANCE OF 43.97 FEET; THENCE N87°29'12"W A DISTANCE OF 702.60 FEET; THENCE N87°39'12"W A DISTANCE OF 17.64 FEET; THENCE N87°49'13"W A DISTANCE OF 525.55 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET, AN ARC LENGTH OF 47.31 FEET AND A CHORD BEARING & DISTANCE OF N42°38'29"W 42.56' FEET; THENCE N02°32'16"E A DISTANCE OF 2518.68 FEET; THENCE ALONG A

CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET, AN ARC LENGTH OF 47.03 FEET AND A CHORD BEARING & DISTANCE OF N47°26'44"E 42.36' FEET; THENCE S87°37'31"E A DISTANCE OF 1259.59 FEET TO THE **POINT OF BEGINNING**. CONTAINING 2.67 ACRES (116,271 SQ.FT.).

Together with the right of ingress and egress across adjacent lands for the purpose of laying, repairing, inspecting, maintaining, removing, or replacing, said water transmission line(s) and/or sewer collection or force main line(s), and the right of exercising all other rights necessary to carry out the purposes for which this Easement is created.

**TO HAVE AND TO HOLD** unto said Grantee, its successors and assigns, forever or until said easement is fully abandoned.

The Grantor agrees not to erect any building or structures in said right of way other than fences and said fences shall not exceed six (6) feet in height. No trees shall be planted or permitted by Grantor on said right of way. Grantor shall not be entitled to any compensation for fences or growing crops removed or disturbed within this permanent easement by virtue of Grantee's exercise of the rights under this agreement

The consideration first above recited as being paid to Grantor by Grantee is in full satisfaction of every right hereby granted. All covenants and agreements herein contained shall extend to and be binding upon the respective heirs, legal representatives, successors and assigns of the parties hereto.

It is hereby understood and agreed that the party securing this grant in behalf of the Grantee is without authority to make any covenant or agreement not herein expressed.

WITNESS the execution hereof this the \_\_\_\_ day of \_\_\_\_\_, 2021.

Grantor:

**CITY OF SPRINGDALE, ARKANSAS,  
a municipal corporation**

\_\_\_\_\_  
Denise Pearce  
City Clerk/Treasurer

\_\_\_\_\_  
Doug Sprouse  
Mayor

**ACKNOWLEDGEMENT**

STATE OF ARKANSAS  
COUNTY OF \_\_\_\_\_

BE IT REMEMBERED, that on this date, before me, a Notary Public within and for said County and State, duly commissioned and acting personally appeared \_\_\_\_\_ to me well known as the person(s) who executed the foregoing Right of Way Grant, and that \_\_\_\_\_ had executed the same for the consideration and purpose therein mentioned and set forth.

WITNESS my hand and seal on this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

## UTILITY EASEMENT

STATE OF ARKANSAS  
COUNTY OF BENTON

### KNOW ALL MEN BY THESE PRESENTS:

That for and in consideration of **One Dollar (\$1.00)** and other valuable considerations to the undersigned, **CITY OF SPRINGDALE, ARKANSAS, a municipal corporation**, paid, the receipt of which is hereby acknowledged, the said Grantor does hereby GRANT, SELL AND CONVEY unto the **CITY OF SPRINGDALE WATER AND SEWER COMMISSION**, all public utility companies, and the cable television company (herein styled Grantee), its successors and assigns, the right of way and easement to construct, lay, remove, relay, enlarge, maintain, inspect, repair, and operate a utility line or lines, manholes, and appurtenances thereto, with rights of ingress and egress to and from the same, on, over, across and under the following described real estate, to-wit:

**Property Description (Parcel No. 21-00167-470 & No. 21-00167-471 & 21-00167-545):**

EXHIBIT "A"

Tract A:

(PIN 21-001670471)

The North 3/4 of the W 1/2 of the NE 1/4 of the SE 1/4 of Section 19, T-18-N, R-30-W, Benton County, Arkansas

Tract B-3:

(PIN 21-00167-545)

The W 1/2 of the SE 1/4 of the SW 1/4 of Section 20, T-18-N, R-30-W, Benton County, Arkansas.

AND

(PIN 21-00167-470)

The E1/2 of the SE1/4 of Section 19, T-18-N, R-30-W, Benton County, Arkansas.

LESS & EXCEPT A tract in the NW corner of said 80.00 acre tract, described as follows: Beginning at the NW corner of said 80.00 acre tract, and running thence East 40 rods; thence South 60 rods; thence West 40 rods; thence North 60 rods to the point of beginning.

LESS & EXCEPT A part of the SE1/4 of the SE1/4 of Section 19, T-18-N, R-30-W, Benton County, Arkansas, being more particularly described as follows: From a found 1/2 inch rebar representing the SW corner of the SE 1/4 of the SE 1/4 of said Section 19; thence N 02°24'27"E, 608.55 feet; thence S 87°31'56" E, 37.12 feet to the point of beginning; thence N 02° 16'36" E, 50.00 feet; thence S 87°31'56" E, 121.53 feet; thence S 02°28'04" W, 50.00 feet; thence N 87°31'56" W, 121.36 feet to the point of beginning, containing 0.14 acres, more or less, and subject to any easements and/ or rights-of-way of record, if any.

The above described Tracts A & B-3 being more particularly described on a plat of survey by David A. Wilkins, PLS #1439, dated November 2012 and designated as job #12932, as follows:

The E 1/2 of the SE 1/4 of Section 19, T-18-N, R-30-W, and the W 1/2 of the W 1/2 of the SW 1/4 of Section 20, T-18-N, R-30-W of the Fifth Principle Meridian, City of Springdale, Benton County, Arkansas, being more particularly described as follows:

Beginning at a found 1/2" rebar for the SW corner of the SE 1/4 of the SE 1/4 of said Section 19, thence N 02°24'27" E, a distance of 1671.79 feet to a set iron pin with orange plastic cap "ESI COA 131"; thence N 02°27'51" E, a distance of 982.26 feet to the NW corner of the NE 1/4 of the SE 1/4 of said Section 19; thence S 87°55'57" E a distance of 1335.40 feet to a set iron pin with a orange plastic cap "ESI COA 131" for the NE corner of said forty acre tract; thence S 86°26'02" E a distance of 659.41 feet to a set iron pin with orange plastic cap "ESI COA 131"; thence S 02°28'04" W a distance of 2655.17 feet to a set iron pin with orange plastic cap "ESI COA 131"; thence N 86°35'41" W, a distance of 660.01 feet to a found 1/2" rebar for the SE corner of said SE 1/4, SE 1/4; thence N 87°48'22" W, a distance of 1332.93 feet to the point of beginning, containing 121.58 acres (5,295,990 square feet, more or less), and being subject to any easements, covenants or rights of way of record, if any.

Subject to easements, rights-of-way, and protective covenants of record, if any.  
Subject to all prior mineral reservations and oil and gas leases.

As described in **Warranty Deed Book 2012, Page 49898** of the records of the Circuit Clerk and Ex-Officio Recorder, Benton County, Arkansas.

**PERMANENT EASEMENT "A" DESCRIPTION: (See Attached "Easement Exhibit")**

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 30 WEST OF THE FIFTH PRINCIPAL MERIDIAN, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE EAST 1/4 CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 19; THENCE S02°22'29"W A DISTANCE OF 37.73 FEET TO THE **POINT OF BEGINNING**; THENCE S87°37'31"E A DISTANCE OF 659.30 FEET; THENCE S02°28'04"W A DISTANCE OF 30.00 FEET; THENCE N87°37'31"W A DISTANCE OF 1918.83 FEET; THENCE S02°32'16"W A DISTANCE OF 51.98 FEET; THENCE S87°31'56"E A DISTANCE OF 15.00 FEET; THENCE S02°32'16"W A DISTANCE OF 533.34 FEET; THENCE S87°49'13"E A DISTANCE OF 525.64 FEET; THENCE S87°39'09"E A DISTANCE OF 17.73 FEET; THENCE S87°29'12"E A DISTANCE OF 702.71 FEET; THENCE S87°04'15"E A DISTANCE OF 44.19 FEET; THENCE S86°39'19"E A DISTANCE OF 467.14 FEET; THENCE S87°02'05"E A DISTANCE OF 39.25 FEET; THENCE S87°24'53"E A DISTANCE OF 125.32 FEET; THENCE S02°29'43"W A DISTANCE OF 30.00 FEET; THENCE N87°24'51"W A DISTANCE OF 125.57 FEET; THENCE N87°02'05"W A DISTANCE OF 39.35 FEET; THENCE N86°39'19"W A DISTANCE OF 467.13 FEET; THENCE N87°04'15"W A DISTANCE OF 43.97 FEET; THENCE N87°29'12"W A DISTANCE OF 702.60 FEET; THENCE N87°39'12"W A DISTANCE OF 17.64 FEET; THENCE N87°49'13"W A DISTANCE OF 525.55 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET, AN ARC LENGTH OF 47.31 FEET AND A CHORD BEARING & DISTANCE OF N42°38'29"W 42.56' FEET; THENCE N02°32'16"E A DISTANCE OF 2518.68 FEET; THENCE ALONG A

CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET, AN ARC LENGTH OF 47.03 FEET AND A CHORD BEARING & DISTANCE OF N47°26'44"E 42.36' FEET; THENCE S87°37'31"E A DISTANCE OF 1259.59 FEET TO THE **POINT OF BEGINNING**. CONTAINING 2.67 ACRES (116,271 SQ.FT.).

Together with the right of ingress and egress across adjacent lands for the purpose of laying, repairing, inspecting, maintaining, removing, or replacing, said water transmission line(s) and/or sewer collection or force main line(s), and the right of exercising all other rights necessary to carry out the purposes for which this Easement is created.

**TO HAVE AND TO HOLD** unto said Grantee, its successors and assigns, forever or until said easement is fully abandoned.

The Grantor agrees not to erect any building or structures in said right of way other than fences and said fences shall not exceed six (6) feet in height. No trees shall be planted or permitted by Grantor on said right of way. Grantor shall not be entitled to any compensation for fences or growing crops removed or disturbed within this permanent easement by virtue of Grantee's exercise of the rights under this agreement

The consideration first above recited as being paid to Grantor by Grantee is in full satisfaction of every right hereby granted. All covenants and agreements herein contained shall extend to and be binding upon the respective heirs, legal representatives, successors and assigns of the parties hereto.

It is hereby understood and agreed that the party securing this grant in behalf of the Grantee is without authority to make any covenant or agreement not herein expressed.

WITNESS the execution hereof this the \_\_\_\_ day of \_\_\_\_\_, 2021.

Grantor: **CITY OF SPRINGDALE, ARKANSAS,**  
**a municipal corporation**

_____ Denise Pearce City Clerk/Treasurer	_____ Doug Sprouse Mayor
--	--------------------------------



**ACKNOWLEDGEMENT**

STATE OF ARKANSAS  
COUNTY OF \_\_\_\_\_

BE IT REMEMBERED, that on this date, before me, a Notary Public within and for said County and State, duly commissioned and acting personally appeared \_\_\_\_\_ to me well known as the person(s) who executed the foregoing Right of Way Grant, and that \_\_\_\_\_ had executed the same for the consideration and purpose therein mentioned and set forth.

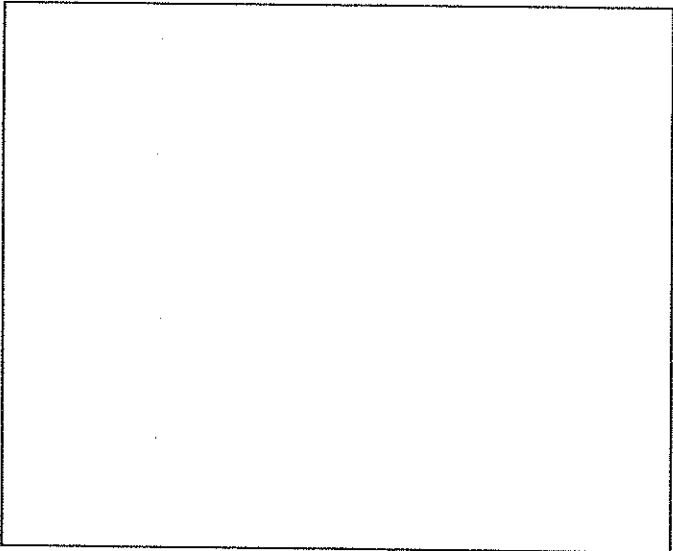
WITNESS my hand and seal on this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE RELEASING,  
VACATING, AND ABANDONING A  
PORTION OF A UTILITY EASEMENT  
LOCATED ON PROPERTY IN  
SPRINGDALE, WASHINGTON  
COUNTY, ARKANSAS, TO DECLARE  
AN EMERGENCY AND FOR OTHER  
PURPOSES.**



**WHEREAS**, Francisco Saenz and Adriana Saenz petitioned the City Council for the City of Springdale, Arkansas, to release, vacate and abandon a portion of a utility easement on Lot 1, Benedetto Subdivision, to the City of Springdale, Washington County, Arkansas, as per plat of said addition on file in the Office of the Circuit Clerk and Ex-Officio Recorder of Washington County, Arkansas, as Instrument #0024-00000188, and more particularly described in Section 1 below;

**WHEREAS**, after legal notice of the hearing was published as required by law, a hearing was held on the matter in front of the Springdale City Council, and at the hearing the City Council made the following findings: That all utility companies have filed their written consents to the releasing, vacating and abandoning a portion of the utility easement as shown on the copy of the plat incorporated by reference and said copy and consents are on file in the office of the City Clerk for the City of Springdale, Arkansas;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS:**

**Section 1:** That the City of Springdale, Arkansas hereby releases, vacates and abandons all of their rights, together with the rights of the public generally, in the property described as follows:

A PART OF LOT 1, BENEDETTO SUBDIVISION, TO THE CITY OF SPRINGDALE, WASHINGTON COUNTY, ARKANSAS, AS PER PLAT OF SAID ADDITION ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS, AS INSTRUMENT #0024-00000188, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT AN IRON PIN FOUND AT THE NW CORNER OF SAID LOT 1; THENCE S86°53'59"E 18.16 FEET; THENCE S03°06'01"W 12.34 FEET TO THE POINT OF BEGINNING; THENCE S86°53'59"E 16.54 FEET; THENCE S03°06'01"W 7.66 FEET; THENCE N86°53'59"W 14.58 FEET; THENCE S02°43'57"W 5.34 FEET; THENCE N86°53'59"W 2.00 FEET; THENCE N03°06'01"E 13.00 FEET TO THE POINT OF BEGINNING, CONTAINING 137 SQUARE FEET MORE OR LESS.

**PARCEL NO.:** 815-39354-000

A survey showing the property abandoned is hereby incorporated by reference.

**Section 2: Emergency Clause.** It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

**PASSED AND APPROVED** this 23<sup>rd</sup> day of February, 2021.

\_\_\_\_\_  
Doug Sprouse, Mayor

**ATTEST:**

\_\_\_\_\_  
Denise Pearce, CITY CLERK

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Ernest B. Cate, CITY ATTORNEY



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING THE CITY CLERK TO FILE A CLEAN-UP LIEN FOR THE REMOVAL OF OVERGROWN BRUSH AND DEBRIS ON PROPERTY LOCATED WITHIN THE CITY OF SPRINGDALE, ARKANSAS.**

**WHEREAS**, the following real property located in Springdale, Washington County, Arkansas, is owned as set out below:

**PROPERTY OWNER:** Dorothy Laird  
**LEGAL DESCRIPTION:** Beginning at the Southwest Corner of the North Half (N1/2) of the South Half (S1/2) of the Northwest Quarter (N1/4) of the Southeast Quarter (S1/4) of Section One (1) in Township Seventeen (17) North; Range 30 west For a beginning corner and running thence North 63 feet; thence East 174 fee; thence South 63 feet; then West 174 feet to the beginning.  
**LAYMAN'S DESCRIPTION:** 1205 Crutcher  
**PARCEL NO.:** 815-28757-000

**PROPERTY OWNER:** Aria Steinberg  
**LEGAL DESCRIPTION:** The East Half (E1/2) of Lot No. 23 in Block Two (2) of the Sycamore Place, Phase I, a Subdivision to Springdale, Arkansas, more particularly described as follow: Beginning at the Northeast corner of the aforesaid lot, thence Westerly along the North property line to a point in line with the centerline of the firewall between the two apartment, thence Southerly through the centerline of said firewall to the South property line, thence Easterly to the Southeast Lot corner, thence Northerly to the point of beginning. Subject to easements, right of ways and restrictions of record, if any.  
**LAYMAN'S DESCRIPTION:** 2007 A Cypress  
**PARCEL NO:** 815-26079-001

**WHEREAS**, the owner was given notice, pursuant to Ark. Code Ann. §14-54-903, of the unsightly and unsanitary conditions on the properties described above, and instructed to clean the properties in accordance with Sections 42-77 and 42-78 of the Springdale Code of Ordinances;

**WHEREAS**, the property owner of record did not abate the situation on these properties, and as a result, the City of Springdale was required to abate the conditions on these properties and incurred cost as follows, and as shown in the attached Exhibits:

\$554.39 clean-up costs and \$29.10 administrative costs – 1205 Crutcher (815-28757-000)  
\$440.12 clean-up cost and \$ 22.02 administrative costs- 2007 A Cypress (815-26079-001)

**WHEREAS**, the property owners have been given at least 30 days written notice of the public hearing in accordance with Ark. Code Ann. §14-54-903, as shown in the attached Exhibits;

**WHEREAS**, Ark. Code Ann. §14-54-904 authorizes the City Council to assert a clean-up lien on these properties to collect the amounts expended by the City in cleaning up these properties;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SPRINGDALE, ARKANSAS**, pursuant to Ark. Code Ann. §14-54-904, the City Council certifies that the following real property shall be placed on the tax books of the Washington County Tax Collector as delinquent taxes and collected accordingly:

\$583.49, plus 10% for collection – 1205 Crutcher (Parcel No. 815-28757-000)  
\$455.12 plus 10% for collection-2007A Cypress (Parcel No. 815-26079-001)

**Emergency Clause.** It is hereby declared that an emergency exists and this ordinance, being necessary for the preservation of the health, safety and welfare of the citizens of Springdale, Arkansas, shall be in effect immediately upon its passage and approval.

**PASSED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Doug Sprouse, Mayor

ATTEST:

\_\_\_\_\_  
Denise Pearce, CITY CLERK

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Ernest B. Cate, CITY ATTORNEY



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Dorothy Larid  
1205 Crutcher  
Springdale, AR 72764



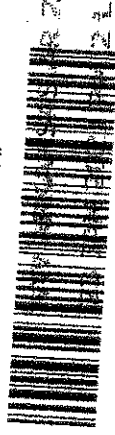
9590 9402 6142 0209 4996 31

2. Article Number (Transfer from service label)

7019 2970 0000 7257 4127

PS Form 3811, July 2015 PSN 7530-02-000-9053

USPS TRACKING #



9590 9402 6142 0209 4996 31

United States  
Postal Service

COMPLETE THIS SECTION ON DELIVERY

A. Signature ☒ Agent ☐ Address  
**X** TV-07 ☐ Address  
B. Received by (Printed Name) TV-07 C. Date of Deliv 1-23  
D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☒ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Insured Mail Restricted Delivery  
☐ Mail Restricted Delivery  
☐ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☐ Registered Mail Return Receipt for Merchandise  
☐ Signature Confirmation  
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

\* Sender: Please print your name, address, and ZIP+4® in this box\*



OFFICE OF THE  
CITY ATTORNEY  
201 NORTH SPRING STREET  
SPRINGDALE, ARKANSAS 72764

9590 9402 6142 0209 4996 31